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ABSTRACT

Results of studying inclusion of Illinois students with disabilities in regular education are presented. The moral, educational, and legal bases for inclusion in public school general education were reviewed. Differences regarding planning and decision making for children with disabilities were investigated in three schools that were relatively more inclusive and three schools that were relatively less inclusive. Illinois practices were also compared to inclusive educational practices in Vermont and Colorado, two states identified as significantly further along than Illinois in implementing inclusive practices. Focus group interviews were conducted with about 80 parents and educators in Illinois, and due process decisions over 4 years were examined. Barriers to inclusion are discussed in the areas of information, attitudes, instruction/technology, leadership, accessibility, organization, operational and implementation problems, financial issues, regulatory barriers, and legal barriers. Ten recommendations to remove barriers to inclusion are offered. Ten case law citations and six statutory and regulatory citations are included. (Contains 27 references.) (SW)

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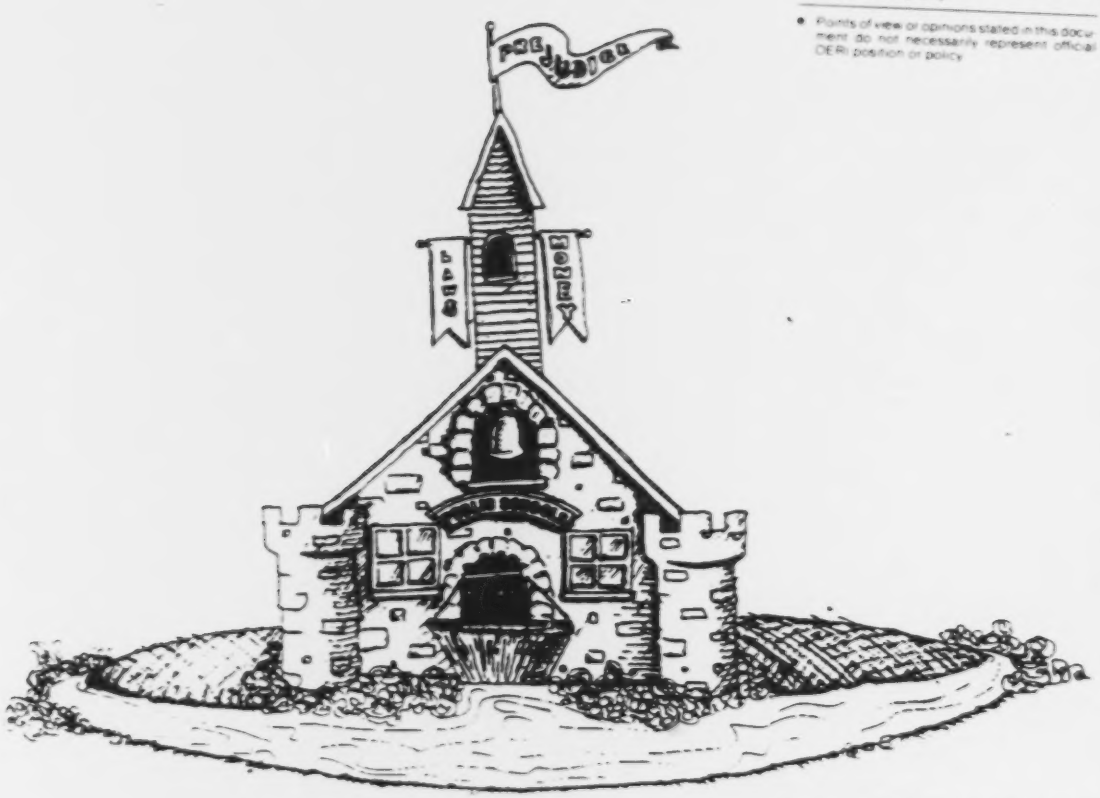

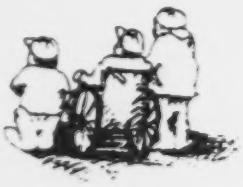

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A BLUEPRINT FOR CHANGE

by Matthew D. Cohen, J.D.

Monahan & Cohen
Chicago, Illinois

A Report prepared for the
Illinois Planning Council on Developmental Disabilities

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OVERCOMING BARRIERS TO INCLUSION OF CHILDREN WITH DISABILITIES IN THE LOCAL SCHOOLS - A BLUEPRINT FOR CHANGE

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PREFACE/ACKNOWLEDGEMENTS

Over the last two years, I have shifted from my role as lawyer and advocate on behalf of children with disabilities to a researcher role in order to study barriers to inclusion at the local school level. When this project was initiated, I had little idea that it would take over two years to complete, would be roughly 80% over budget, or would generate as much enthusiasm, support, suspicion and controversy as it has. In the end, it is apparent that the topic could have been broken into three or four separate studies as the issues studied were wide ranging and the data enormous.

In the intervening time, I have had the opportunity to learn much about inclusion, both success stories and failures. I have gained a heightened sense of how much has been accomplished in creating meaningful opportunities for children with disabilities to participate as accepted members of their neighborhood schools. I have shared the triumph of families celebrating newly developed skills, recently formed friendships and social contacts, and observed parents reporting a new (or renewed) sense of community membership for their children and themselves.

I have also vicariously experienced the tragic isolation felt by many children with disabilities, the intense alienation from school arising in their parents and, as much as anything else, the bizarre mix of fear and courage, suspicion and conviction, knowledge and uncertainty which parents (and the kids themselves) endure as they navigate the uncharted waters of inclusion. If nothing else is gained from this report, let no one harbor the misconception that the effort to realize inclusive education is satisfied simply when the child arrives at the school or classroom door.

Recognition is due to the parents who participated in our study, both for themselves and as representatives of the thousands of parents pushing for what is necessary for their kids. It is an endless and consuming process, requiring perseverance, creativity, and fortitude. Often, it involves the parents becoming knowledgable in education, law and even psychology. All too often, the parents must assume the role of advocate, case manager, inservice trainer, mediator and monitor at school, while continuing to do all the other things that family and life in general demand.

In the course of this project, I have also had the pleasure of meeting (in person or secondhand) a variety of educators who exemplify the qualities we would want for all, to wit, compassion, insight, creativity, persistence, openness to change, a commitment to diversity, a continuing desire for personal growth, and the courage to take risks. Some of these educators have been working in relative isolation in systems that have not yet embraced these qualities, while others function within dynamic teams, in which the team draws strength from the various members.

Despite the incredible efforts of parents and educators committed to inclusion, it is apparent that inclusion remains a dream to be realized for many who desire it. As well, for some who have initially achieved inclusion, its benefits have been fleeting, as the supports which were originally implemented are eroded. These concerns are counterbalanced by the reports of inclusion operating successfully at

both individual and systemic levels.

It is my hope that this report will contribute to the evolving process of educational reform, in which implementation of inclusive practices is a necessary and important part. Further, I hope that the report will demonstrate that the steps necessary to implement inclusive practices are, to a considerable extent, within the means of school districts currently. At the same time, the report demonstrates that inclusion will be more readily achievable with legislative, regulatory and funding changes at the state level. Finally, it is my hope that the various constituencies currently embroiled in the inclusion debate can shift from an "all or nothing" or "win/lose" orientation to one in which implementation of inclusion becomes available for all children, without being implemented in a manner that "takes away" from the services that individual children with disabilities actually or are perceived to need. Our energies are best spent improving our ability to implement inclusive education, effectively and efficiently, recognizing that the better this occurs, the more the continuum will shift of its own accord. Similarly, those suspicious of inclusion should focus their efforts in a productive way by emphasizing the need to assure that sufficient resources are commited to make inclusion successful, rather than opposing inclusion altogether. We must also recognize that inclusive education, and the children affected by it, require ongoing support, not just being in the same place as other children.

Many people contributed to the completion of this report. First and foremost, we wish to thank all of the parents and educators who participated in the study. We are especially appreciative of the administration, principals and staffs of Kingston Elementary School in Kingston School District, Franklin Park School in Salem School District, Centennial School in Orland School District, Nathan Hale Elementary School in Schaumburg School District, and Solomon and Gladstone Elementary Schools of the Chicago Public Schools, which participated as study sites for the project. These school administrators and staff consistently bent over backwards to assist us. Their openness and willingness to be studied are reflective of their commitment to learning and their confidence as educators.

A special thanks also to the Keeneyville School District for making a group of their staff available for an extended focus group. As well, a note of gratitude to key informants in Colorado and Vermont, both within and outside the state education agencies, who shared a wealth of information with us.

A number of people contributed to the research of this report. Prof. Carol Melnick, Ph.D., Chair of the Department of Special Education at National-Louis University in Evanston, Illinois, served as consultant to the study. Dr. Melnick designed the research instruments used at the six target schools and supervised the field studies at those schools, as well as providing valuable guidance on the overall research. Four graduate students were recruited and trained by Dr. Melnick to conduct the research at the six target sites. They were Carol Brusslin, Elizabeth Dugan, Curtis Rempson and Jerome White. Their efforts are also appreciated.

Penny Ford initially collaborated with me in writing the grant proposal and in getting the work started. Unfortunately, Penny made an unplanned move out-of-state shortly after the work started, so we lost the benefit of her effort and insight. Penny was replaced by JoAnn Herzberger, who assumed responsibility for overall coordination of the project. I have enjoyed getting to know JoAnn, and she proved

to be a capable and committed researcher and coordinator, while challenging my thinking and providing indispensable assistance on a constant basis. JoAnn was briefly assisted by Kathy Buckingham, whose able help was cut short by the birth of her child.

Howard Rosenblum, a lawyer in our office, provided enormous help in analyzing the Illinois due process system, including reviewing over 400 Level I due process decisions. Both generally and with the unique perspective of someone who is deaf, Howard also provided a valuable source of ideas and challenges to my thinking.

Mark Doyle, the Grant Monitor for the Illinois Planning Council on Developmental Disabilities, deserves special thanks for his encouragement and support, his ideas, and his frequent suggestions and comments. Thanks to Rene Leininger for her support and feedback, as well as her willingness to stand behind the project even in the face of opposition from some quarters and to the Planning Council itself for its commitment to inclusion and to advocacy on behalf of individuals with disabilities, as well as for its willingness to support this project.

All the members of my law firm, Monahan & Cohen, deserve acknowledgment for not only tolerating the disruption and drain on staff time which the project produced, but also for their enthusiasm for it both conceptually and practically. My partner, Joe Monahan, deserves special recognition for a vision of law practice broad enough to include this social policy endeavor and a vision of society which welcomes this effort, rather than writing it off as tilting at windmills. Dolores Kennedy, my secretary, not only displayed skill and tenacity in completing the report, but also has been an ongoing source of humorous release and personal conviction.

Finally, a special note of thanks to my wife and colleague, Lei Ann Marshall-Cohen, who provided tangible support for the project, as a skilled editor of the final report, and as a sounding board and source of emotional support on the many occasions when I was frustrated or dissatisfied, and to my two boys, who suffered even more than the usual evenings without dad because of the project, and who are for me living proof that children are far more able than adults to identify what we all share and to adapt to and value what makes each of us unique.

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I. INTRODUCTION

> *Integration is our goal. The word comes from the Latin for making complete in the sense of renewing or restoring wholeness. We aim to develop complete classrooms, classrooms that continually renew and restore wholeness among children and teachers who represent the diversity of the real community they live in.*
>
> *Inclusion of those who have been left outside is the first step in integration...Some people think you can speak of integration without inclusion. This seems like nonsense to us. Integration begins only when each child belongs.*

O'Brien and Forest, Action for Inclusion, p. 2 (1989).

The inclusion of children with disabilities in regular education at the neighborhood school is arguably the most important and controversial issue confronting special education in the United States today. Indeed, it is arguably among the most important and controversial issues confronting education in general. The concept of least restrictive environment is firmly rooted in the statutory requirements and regulations of the Individuals with Disabilities Education Act, 20 U.S.C. §1412(5)(B). However, the concept of inclusion, which is not specifically found in the federal law, has only gained currency in recent years. It was preceded by interest in the "Regular Education Initiative," which was advanced by Madeline Will, then Assistant Secretary for the U.S. Department of Education in 1986. See "Educating Students with Learning Problems - A Shared Responsibility," Madeline Will, U.S. Department of Education (1986). Assistant Secretary Will's interest in promoting the Regular Education Initiative focused upon her support for the participation of children identified with relatively more mild disabilities in the regular education environment:

> The belief has emerged over the past two decades that regular education has little responsibility and expertise to help children with learning problems, particularly those children who can qualify for a special program. In fact, as more children have been served through these special programs, regular education has had fewer and fewer incentives to do so. Therefore, it is not surprising that regular education has not learned how to serve these children in a way that special programs have. Nor has regular education learned the teaching techniques, curricula strategies and other competencies that special programs have developed and used successfully over the years. The challenge is to take what we have learned from the special programs and begin to transfer this knowledge to the regular education classroom. This challenge is not only to transfer knowledge, it is also to form a partnership between regular education and the special programs and the blending of the intrinsic strengths of both systems. This challenge

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> comes at an opportune time. We see today a new confidence on the part of many regular and special program educators that children with learning problems can be effectively served in the regular education classroom. In addition, there is increasing evidence that it is better academically, socially, and psychologically to educate mildly handicapped children with nonhandicapped children, preferably within the regular education classroom.

Will, at pp. 11-12.

Subsequent to Dr. Will's statement, efforts intensified to promote the inclusion of children with disabilities, regardless of severity, within the regular education environment at the neighborhood school.

As efforts to promote inclusive education have increased at the national level, increasing attention has been focused on the relative lack of inclusive educational opportunities within Illinois, including statements to this effect by the Illinois State Superintendent of Education Robert Leininger. 60 Illinois School Board Journal 5 (1992). An assessment of the need to strengthen Illinois delivery of special education services in the regular education classroom was delineated in a memorandum dated October 6, 1993, by Gail Lieberman, Assistant Superintendent, Illinois Department of Special Education. Ms. Lieberman's presentation before the Illinois Council of Administrators of Special Education (ICASE) in September, 1992 also detailed the difficulty Illinois educators have had in approaching inclusive practices. Lieberman, "Inclusion in Illinois: Past, Present and Future," ICASE Conference, September 18, 1992. The Illinois State Board of Education has developed and funded a grant, entitled Project CHOICES/Early CHOICES, to provide technical support to schools seeking to implement inclusive practices. Various efforts have been initiated by the Illinois State Board of Education, to identify and, where necessary, modify State Board of Education regulations and financing mechanisms to promote inclusive education. Id. These efforts have been caught up in a parallel debate over concerns that inclusion is a stalking horse for deregulation. At the same time, the Board of Education deferred development of a policy statement in support of inclusive practices. This debate has served to catalyze both proponents and opponents of inclusive practices, highlighting a split within the special education community.

It is within this context that the Illinois Planning Council on Developmental Disabilities issued a request for proposal to study the barriers to inclusion at the local school level and to make recommendations for changes in state and local practices which would assist in overcoming these barriers. This report, representing over 26 months of work, is the culmination of the research conducted in fulfillment of the grant.

This report will present a brief review of the moral, educational and legal bases for inclusion. It will then outline the extensive research which forms the basis of this report. Specific conclusions derived from the study of six Illinois target schools and two other states which are further along in implementation of inclusive practices will be reviewed, as well as findings from our review of due process decisions in Illinois over the last four years. Some overall concerns with respect to the decision-making process for individual children with

disabilities will be outlined. The report will then delineate a wide variety of barriers, which generally fall within ten categories: informational barriers, attitudinal barriers, instructional/technological barriers, leadership barriers, accessibility barriers, organizational barriers, operational and implementation barriers, financial barriers, regulatory barriers and legal barriers. Having described the findings of the study with respect to these various barriers, recommendations to eliminate or reduce these barriers will be presented.

II. WHAT IS INCLUSION AND WHY IS IT NECESSARY?

Over the course of the last several years, there has been increasing attention given to the issue of inclusion, while confusion about what inclusion is has grown apace. While most educational theorists who are proponents of inclusion are careful to define under what circumstances and in what way they intend inclusion to be implemented, opponents of inclusion have tended to make the assumption or assertion that inclusion is an "all or nothing" proposition. This view of inclusion asserts that inclusion entails 100% participation of all children with disabilities in regular education 100% of the time, independent of their individual needs or requirements for support and adaptation.

Not surprisingly, different definitions of inclusion are proposed by theorists who support inclusive practices. A number of scholars have provided guidance in defining the scope and intent of inclusive educational practices. Stainback, Stainback and Jackson describe a variety of characteristics which constitute an inclusive educational program, as compared to mainstreaming or integration of children with disabilities:

> Many people are now using the term **full inclusion** to refer to the education of all students in neighborhood classrooms and schools. There has been a shift away from concepts such as mainstreaming or integration toward full inclusion. There are a number of reasons for this shift. First, the concept of inclusion is being adopted because it more accurately and clearly communicates what is needed - all children need to be <u>included</u> in the educational and social life of their neighborhood schools and classrooms, not merely placed in the mainstream. Second, the term <u>integration</u> is being abandoned since it implies that the goal is to integrate someone or some group back into the mainstream of school and community life who has been excluded. The basic goal should be to not leave anyone out of the mainstream of school life in the first place, either educationally, physically, or socially.
>
> Third, the focus in inclusive schools is on how to build a system that includes and is structured to meet everyone's needs. It does not assume that traditional schools and classrooms, which are structured to meet the needs of the so-called "normal" or majority, are appropriate and any student must fit within what was designed for the majority or else be excluded. Integration or mainstreaming implies a need to fit students previously excluded into an existing mainstream. In inclusive schooling, the responsibility is being placed on school personnel to arrange a mainstream that accommodates the needs of all students.
>
> Finally, there has been a shift away from how to help only students with disabilities in the mainstream. The focus has been broadened to address the support needs of every member of the school (i.e., school personnel as well as students) to be successful, secure, and welcome in the educational mainstream.

Stainback, Stainback and Jackson, Chapter 1 "Towards Inclusive Classrooms," pp. 3-4, <u>Curriculum Considerations in Inclusive Classrooms: Facilitating Learning for All Students</u>, (1992).

A similar definition has been proposed by Sailor:

1. All students attend the school to which they would go if they had no disability.

2. A natural proportion (i.e., representative of the school district at large) of students with disabilities occurs at any school site.

3. A zero-reject philosophy exists so that typically no student would be excluded on the basis of type or extent of disability.

4. School and general education placements are age and grade-appropriate, with no self-contained special education classes operative at the school site.

5. Cooperative learning and peer instructional methods receive significant use in general instructional practice at the school site.

6. Special education supports are provided within the context of the general education class and in other integrated environments.

Sailor, W., "Special education in the Restructured School," Remedial and Special Education, 12.8-22. (1991).

Professor Lou Brown, one of the other pioneers of inclusive education, has expressly rejected the all or nothing characterization which has been asserted by a variety of individuals objecting to inclusion. In his article, "How Much Time Should Students with Severe Intellectual Disabilities Spend in Regular Education Classrooms and Elsewhere," Brown, et al., 16 JASH 39 (1991), Professor Brown has indicated that inclusion is intended to create membership and participation of the child with a disability in the regular education class which he or she would attend if there were no disability, but using other ways and places to deliver some parts of the child's education as appropriate. He writes:

> It is our position that it is unacceptable for students with severe intellectual disabilities to spend either 0% or 100% of their time in regular education classrooms, although the latter is a better alternative than the former. Self-contained regular and self-contained special education are both rejected because each extreme disallows important experiences and opportunities. The preference is that students with severe disabilities be based in the regular education classrooms in which they would be based if they were not disabled, and that individually meaningful amounts of time to be spent elsewhere should be arranged as needed.

Id., at 40.

While inclusion can be understood through precise descriptions by academicians, it can also be understood through the powerful words of the parents of children with disabilities. One parent told us: "My child is a citizen like my other children - they were just included...she's entitled to the same regular education my other children get." Another parent commented:

"When you have to keep talking about inclusion, it's not happening. Inclusion is not something we do to or for children - it's something children do together - it's cohesive. As long as we have to talk about it, it's not happening."

For the purposes of this report, the author defines inclusion as a commitment that children with disabilities will be educated in the schools that they would attend if they did not have disabilities, based in and with full membership in the life of the regular education environment, with such adaptations, supports and services as are necessary to allow them both to benefit from the regular education experience and to address the unique needs which arise as a result of their disabilities.[1]

Independent of any experiential or empirical basis to support the inclusion of children with disabilities in regular education, inclusion has a moral force which transcends the details of any educational rationale which might justify it. In 1954, the United States Supreme Court, in Brown v. Board of Education, 347 U.S. 483,493 (1954) wrote:

> Today, education is perhaps the most important function of state and local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship. Today it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms.

Without implying that the circumstances of African-American children are identical with those of children with disabilities, there is nonetheless a great parallel in the applicability of the Supreme Court's reasoning to children with disabilities. This parallel was borne out in the earliest special education cases to address these issues. The Mills v. Board of Education, 348 F.Supp. 866 (D.D.C. 1972) and the Pennsylvania Ass'n for Retarded Children v. Pennsylvania, 343 F.Supp. 279 (E.D.Pa. 1972) cases revolved around the very issues being addressed by the United States Supreme Court in Brown v. Board of Education, infra. Rather than addressing

---

[1] "Integration" is defined as structured opportunities for children with disabilities to participate in regular education activities and to interact with age appropriate peers without disabilities, while based in self-contained classrooms, with the focus on interaction, rather than instruction. "Mainstreaming," like "integration," assumes the child with disabilities is based in a self-contained setting but qualifies for participation in regular education activities only when the child demonstrates the ability to participate at an age-appropriate level.

the nuances of the qualitative elements of the educational process, these cases concluded that the exclusion and segregation of children with disabilities from participation in the educational process was morally and constitutionally wrong.

Our society, as reflected in our democratic values, is ostensibly oriented to equality, participation, and individual self-determination. Segregation of individuals with disabilities, on its face, appears to fly in the face of these basic and overarching societal values. It is also intuitively clear that segregation tends to perpetuate segregation. This has also been demonstrated in the professional literature. As Assistant Secretary Will wrote in 1986:

> When students with learning problems are segregated from their non-handicapped schoolmates and labels attached to them, stigmatization can result. The effects of stigmatization may serve to further isolate these students from their peers and increase negative attitudes about school and learning. The consequences of stigmatization and poor self-esteem have been fully described in the literature: low expectations of success, failure to persist on tasks, the belief that failures are caused by personal inadequacies, and a continued failure to learn effectively. In addition, negative staff attitudes, as a result of the stigma of special class placement can create an atmosphere which further hampers the student's learning.

Will, at p. 9.

At the same time, there is a growing body of both qualitative and quantitative information to support the benefits of inclusion for children with disabilities. Inclusion is valued as means to promote development of interpersonal relationships between children with disabilities and those who do not have disabilities. It is also viewed by many as having educational benefits in the development of meaningful skills for children with disabilities. Much research is available which supports the efficacy of inclusive practices as compared to educating children in more restrictive settings. An excellent survey of this research has been compiled by Halvorsen & Sailor, "Integration of Students with Severe and Profound Disabilities: A Review of Research," in Gaylord-Ross, Ed., Issues and Research in Special Education, (Vol. 1) (1991). The research identified in the survey has demonstrated the positive outcomes of inclusive education, including improved social behavior and interaction, improved affective development, increased skill generalization, enhanced parent expectations, increased completion of IEP goals, more accepting attitudes of non-disabled students and improved post-school outcomes. Id., Vol. 1, at 149-95.

Juxtaposed against the growing body of research reflecting the positive outcomes of inclusive educational practices, there is grave concern about the relatively inadequate outcomes of the existing special education structure. For example, the drop-out rate of students with disabilities is dramatically higher in Illinois than in most other states. Similarly, the drop-out rates for students with disabilities across the country are dramatically higher than for regular education students. See Fourteenth Annual Report to Congress on the Implementation of IDEA, U.S. Department of Education (1992). Further, the National Longitudinal Transition Study of Special Education Students, SRI International (1991), reported that young people with disabilities

have higher arrest rates, higher unemployment and a substantially lower likelihood of living independently than their peers who do not have disabilities.

Beyond the moral and educational justification for inclusive practices, there is a strong legal basis for a shift to inclusive practices as well. In 1975, following the Mills and P.A.R.C. decisions, Congress enacted the Education for All Handicapped Children Act (EAHCA) of 1975, also known as Public Law 94-142. Now retitled the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §1401, et seq., the IDEA guarantees that all children with disabilities ages three through twenty-one receive a free appropriate public education in the least restrictive environment. 20 U.S.C. §1412. This right is also codified in the Illinois School Code. Although neither federal nor state law explicitly mention the term "inclusion", both clearly mandate that children be served in the least restrictive environment.

The IDEA provides at 20 U.S.C. §1412(5)(B):

> ... procedures to assure, to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and that special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

This least restrictive environment mandate is reflected in a variety of specific provisions that require that children with disabilities be educated within the regular education environment at the school they would have attended if they did not have a disability under virtually all circumstances. The federal regulations implementing IDEA, 34 C.F.R. §300.551-552, which contain the mandate for least restrictive environment, also delineate a decision-making process which is designed to promote inclusive practices. The regulations specify:

B. Each public agency shall insure that a continuum of alternative placements is available to meet the needs of handicapped children for special education and related services.
   (a) The continuum required under paragraph (a) of this section must:
      1) Make provisions for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement....

C. Each public agency shall insure that:
   (a) Each handicapped child's educational placement:
      2) Is based on his or her individualized education program, and
      3) Is as close as possible to the child's home.

D. Each public agency shall insure that:

   (c) Unless a handicapped child's individualized education program requires some other arrangement, the child is educated in the school which he or she would attend if not handicapped.

Id.

These provisions also are duplicated in the state regulations at 23 Ill. Adm. Code §§226.125 and 560(d). Significantly, these regulations require that the starting place for all placement considerations be in regular education at the school the child would attend if he or she did not have a disability. A variety of efforts must be undertaken by the public school in order to support the child's involvement in regular education before any consideration is given to removal of the child to any more restrictive environment, let alone to a placement outside of the school he or she would have attended if they did not have a disability. Thus, without explicitly referring to inclusion, the law clearly provides for a sequential decision-making process in which many things must occur before consideration is given to removal of the child from regular education at the neighborhood school, much less to other placements. Regrettably, as the data from the Fourteenth Annual Report to Congress suggests, the emphasis to date has been upon access to an education, rather than access to education in the least restrictive environment. It is precisely this forgotten element of the dual obligation to provide access to a free appropriate public education in conjunction with delivery of that education in the least restrictive environment which inclusion seeks to address.

The evolving case law under IDEA is increasingly endorsing the right of children with disabilities to be educated in the least restrictive environment and is stressing the importance of the least restrictive environment in the restrictiveness versus appropriateness equation. More importantly, recent court decisions have recognized the failure of school districts to utilize the decision-making process outlined above, which in the past has resulted in children being placed in more restrictive settings than were appropriate for their individual circumstances.

These cases all rely on standards established by two different federal court of appeals decisions which addressed the right of a child with a disability to be served in a regular education-based program in his or her neighborhood school. The first court to enunciate a clear standard for evaluating whether a child should be served in the least restrictive environment was the U.S. Sixth Circuit Court of Appeals in Roncker on behalf of Roncker v. Walter, 700 F.2d 1058 (6th Cir. 1983), which wrote:

> In a case where the segregated facility is considered superior (academically), the court should determine whether the services which make the placement superior could be feasibly provided in a non-segregated setting. If they can, the placement in the segregated school is inappropriate under the Act.

Id., at 1063. Accord, A.W. v. Northwest R-1 School Dist., 813 F.2d 158, 163 (8th Cir. Mo. 1987). This test placed a virtually inescapable burden on the local school to serve the child locally if doing so was feasible.

The other test for assessing a school's decision to exclude a child from regular education and/or the child's neighborhood school was adopted by the U.S. Fifth Circuit Court of Appeals in Daniel R.R. v. State Bd. of Educ., 874 F.2d 1036, (5th Cir. Tex. 1989). The court articulated a two part test. First, the court must decide "whether education in the regular classroom, with the use of supplementary aids and services, can be achieved satisfactorily." Id.,

at 1048. Second, if placement outside the regular classroom is necessary for the child to benefit educationally, then the court must determine "whether the school has mainstreamed the child to the extent appropriate." Id.

With respect to the first prong of this test, the court delineated a number of factors which should be considered. These included: (1) examining the steps the school has taken to try to include the child, such as the use of supplementary aids and services; (2) comparing the educational and developmental benefits the child may obtain in the regular education class as compared to the special education class; (3) examining the possible negative effect the child's inclusion may have on the education of the other children in the regular education class, and; (4) the extent to which the teacher may have to concentrate on the child with a disability to the detriment of the other students. Id., at 1048-49.

While the Daniel R.R. test resulted in Daniel's exclusion from the placement desired by his parents (based in regular education at his neighborhood school), the standard in Daniel has been more recently applied in a manner which endorsed the right of the child with a disability to be educated within regular education in the neighborhood school. See Sacramento City Unified School Dist. Board of Education v. Holland, 786 F.Supp. 874 (E.D. Ca. 1992); affirmed, 14 F.3d 1398 (9th Cir. 1994); cert. pending (4/25/94); Greer v. Rome City School District, 950 F.2d 688, 695 (11th Cir. Ga. 1991); Liscio v. Woodland Hills School District, 734 F.Supp. 689 (W.D. Pa. 1989).

Most recently, the U.S. Third Circuit Court of Appeals in Oberti v. Board of Educ., 995 F.2d 1204 (3rd Cir. 1993) explicitly adopted the Daniel R.R. test over the Roncker test, while articulating a strongly pro-inclusion message:

> We note that the order issued by the district court does not mandate that Rafael be placed in the Clementon Elementary School or in any particular classroom. But...placement in a regular education classroom is required under the Act unless the school district can show by a preponderance of the evidence that the child cannot be educated satisfactorily in a regular class with supplementary aids and services. On the record before us here, the school district has not made such a showing.
>
> We also note that the federal regulations under the Act require states to ensure that each disabled child is placed "as close as possible to the child's home," and unless some other arrangement is necessary, that the child is educated "in the school which he or she would attend if not handicapped." There is thus a presumption in favor of placing the child, if possible, in the neighborhood school.

Id., at 1224, fn. 30.

The IDEA mandates a decision-making process which effectively creates a presumption that children with disabilities should be based in regular education in the schools they would attend if they did not have a disability. It also requires that school districts adopt promising practices which are likely to produce this outcome. The "Promising Practices" mandate, although relatively unknown even within the special education community, effectively dictates

that schools incorporate inclusive practices, even though it represents a change in the service delivery system and has not been the subject of years of longitudinal study. The "Promising Practices" mandate, contained at 20 U.S.C. §1413(3) requires:

> (A) the development and implementation of a comprehensive system of personnel development which shall include the in-service training of general and special educational instructional and support personnel, detailed procedures to assure that all personnel necessary to carry out the purposes of this chapter are appropriately and adequately trained, and effective procedures for acquiring and disseminating to teachers and administrators of programs for children with disabilities significant information derived from educational research, demonstration and similar projects, and
>
> (B) adopting, where appropriate, promising educational practices and materials.

The mandate requires training of general and special educators. This conveys Congress' intent that schools take the steps necessary to equip their general education staff to serve children with disabilities. Moreover, this section also states that schools acquire, disseminate and, where appropriate, adopt promising practices. There can be no question that inclusion fits this description.[2]

The recent judicial precedents addressing inclusion are supported by a variety of policy statements issued by the U.S. Department of Education, both through the Office of Special Education and Rehabilitation Services and through the Office for Civil Rights. These statements again support a commitment to a process in which the child is presumed to be educated in the regular education environment in the school that he or she would have attended if they did not have a disability, unless there is specific justification for any removal or deviation from that environment. OSERS letters, 18 IDELR 594 (1991); 18 IDELR 1309 (1992). While some of these statements have been fairly straightforward, others have equivocated with respect to the support for inclusive education, recognizing the concerns of constituencies such as families of children who are deaf. OSERS letter, 19 IDELR 463 (1992). Perhaps a more clear-cut statement of the current position of the U.S. Department of Education is its recent decision to intervene on behalf of Rachel Holland, the child seeking an inclusive placement, in the Sacramento City Unified School District v. Holland case, infra.

In sum, the legal mandate in support of inclusion, while not absolute, is compelling in requiring a decision-making process which, as this report will demonstrate, is dramatically different than the current standard operating procedure for most school districts. A change in the decision-making process will necessarily result in a change in placement outcomes for most children with disabilities. This change of outcome will translate to delivery of services in less restrictive environments.

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[2]See also Gilhool, "The Right to an Effective Education: From Brown to PL 94-142 and Beyond," chapter 13, Beyond Separate Education - Quality Education for All, (1989).

The moral, ethical and educational imperative for inclusion is compelling. The legal mandate in support of inclusion is clear-cut and being increasingly recognized by the courts. These imperatives occur in a broader climate which is consistent with the aims of inclusion of children with disabilities. Significantly, the election platform of President Clinton itself explicitly recognized and supported efforts to promote the inclusion of individuals with disabilities, including children with disabilities, within the broader community. Our growing recognition of individuals with disabilities as members of the community as opposed to a silent and estranged minority, is reflected in the dramatic growth of individuals with disabilities in both television programming and advertising.

Perhaps the most dramatic reflection of the changing orientation of the society at large with respect to people with disabilities was the 1990 passage of the Americans with Disabilities Act (ADA), 42 U.S.C. §12101 et seq., which for the first time conveyed broad federal civil rights protections to individuals with disabilities in both the public and private sectors. The ADA undoubtedly will be given meaning only over the course of many years of implementation and struggle. However, it has served to create a heightened awareness in the community at large of the barriers that exist for individuals with disabilities and their entitlement to full participation as equal members of the community.

Despite the many gains that have been made in the empowerment of individuals with disabilities, it is unfortunately still true that children with disabilities are in substantial measure excluded from full participation in the educational process. As the U.S. Senate Committee on Labor and Human Resources noted in its July, 1993 report on the Goals 2000: Educate America Act:

> In far too many other cases, however, the lack of or improper implementation has resulted in little progress. For example, data contained in the Department of Education's "Fourteenth Annual Report to Congress" indicate that little, if any, progress has been made in ensuring that children who can benefit from education in the regular class, with necessary supplementary aids and services, are in fact receiving such an education.
>
> In far too many districts around the country, two separate educational systems have developed with little or no coordination - one system for regular or general education and a separate and distinct system for special education. This isolation and lack of coordination creates artificial barriers to achieving the promises of part B of IDEA, the ADA, and Section 504 of the Rehabilitation Act of 1973.

Senate Report 103-85, p. 20 (July 13, 1993).

A recent study by the National Association of State Boards of Education, "Winners All: A Call for Inclusive Schools," found that throughout the United States, children with disabilities are still served to a considerable degree in self-contained and/or fully segregated settings. The NASBE study found a wide range of educational practices throughout the states which have the effect of inappropriately segregating children with disabilities based on prejudice, financial

disincentives, inadequate training, and a variety of other factors. Id. The "Winners All" report, echoing the Senate Committee, concludes:

> Over the last seventeen years, a separate and isolated system has been created to serve children with disabilities. This has happened despite the fact that one of the tenets of the Education for All Handicapped Children Act is that "to the maximum extent appropriate, handicapped children...are to be educated with children who are not handicapped." Yet since the enactment of P.L. 94-142, a vast and separate bureaucracy has developed to educate children labeled as disabled.
>
> This bureaucracy is characterized by separate and parallel policies for special education students and staff; separate funding mechanisms; separate administrative branches and divisions at the federal, state, intermediate and local levels; a system of classification for labeling children that is considered by many to be demeaning and non-functional for instructional purposes; and a separate cadre of personnel, trained in separate pre-service programs, who serve only students diagnosed with disabilities.

"Winners All," pp.8-9, NASBE, Alexandria, Va. (1992).

Regrettably, there is abundant evidence that Illinois is among the worst states with respect to its failure to serve children with disabilities in the least restrictive environment. A recent study by an association for people with developmental disabilities, The Arc, formerly The Association for Retarded Citizens, placed Illinois in its "Hall of Shame" for being among the most restrictive states with respect to the way in which services are delivered to children with mental retardation. S. Davis, "Report Card to the Nation on Inclusion in Education of Students with Mental Retardation," The Arc, (October 1992).

This data, which in part was based on federal data, is corroborated by the Fourteenth Annual Report to Congress prepared by the U.S. Department of Education. Our analysis of this data indicates that Illinois ranked as the 7th most restrictive state with respect to the number of children with disabilities who are educated outside of the regular education school (not necessarily the neighborhood school) (Table 1) and ranked as the 5th most restrictive state in terms of the number of children who are served in self-contained settings in their own school or schools outside of the regular education school (not necessarily the neighborhood school) (Table 2). This data is consistent with the findings of Designs for Change, a Chicago education reform and advocacy group, which released a report in the spring of 1992 detailing the failure of both the Chicago Public Schools and the Illinois State Board of Education to provide or promote education in the least restrictive environment for children with disabilities in Chicago and throughout Illinois. "Caught in the Web II: The Segregation of Children with Disabilities in Chicago and Illinois" (April, 1992).[3]

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[3]In fact, a class action lawsuit, Corey H. v. Board of Education of City of Chicago and ISBE, No. 92 C 3409, is currently pending in the U.S. District Court in Chicago, which challenges the failure of the Chicago Public Schools and ISBE to provide services in the least restrictive environment.

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It is this disparity between the promise of inclusion and the reality of restrictiveness in the educational practices of the State of Illinois that gives rise to the need for this study. It is not the purpose of this study to prove that inclusion is a desirable process. Rather, this study begins with the presumption that as a general principle inclusion is desirable and attempts to address what can be done to produce changes in the delivery of educational services at both state and local level, which will lead to a removal of barriers to inclusion and an increase in the participation of children with disabilities based in regular education in the schools they would attend if they did not have disabilities. In order to accomplish this end, it has been necessary to identify what barriers exist which are interfering with the implementation of inclusive practices in local schools and to make recommendations for changes in the service delivery system which will lead to more inclusive practices.

Further research on the relative outcomes of inclusive and more restrictive educational practices for children with disabilities is needed. However, the experience to date is positive and tends to support the value of inclusive education when appropriately delivered for children with disabilities and for the community at large. Given the moral, educational and legal imperatives for inclusion, there are compelling reasons for actively identifying and removing the barriers to inclusive education in Illinois.

TABLE 1

NUMBER OF CHILDREN AGE 3-21 SERVED IN DIFFERENT EDUCATIONAL ENVIRONMENTS DURING THE 1989-90 SCHOOL YEAR

RANK	STATES	REG. CLASS, RESOURCE ROOM & SEPARATE CLASS	MORE RESTRICTIVE FACILITIES OR PLACEMENTS
1	ALASKA	99.74	.26
2	NEW MEXICO	98.26	1.74
3	ALABAMA	97.89	2.11
4	WASHINGTON	97.69	2.31
5	WISCONSIN	97.49	2.51
6	MISSISSIPPI	97.29	2.71
7	HAWAII	97.20	2.80
8	OKLAHOMA	97.17	2.83
9	WYOMING	97.11	2.89
10	IDAHO	96.87	3.13
11	WEST VIRGINIA	96.66	3.34
12	GEORGIA	96.58	3.42
13	KENTUCKY	96.46	3.53
14	OREGON	96.45	3.55
15	MONTANA	96.21	3.79
16	SOUTH CAROLINA	96.13	3.87
17	VIRGINIA	96.04	3.96
18	MINNESOTA	96.01	3.99
19	TEXAS	95.99	4.01
20	TENNESSEE	95.92	4.08
21	IOWA	95.63	4.37
22	INDIANA	95.40	4.60
23	NEW HAMPSHIRE	95.23	4.77
24	NORTH CAROLINA	95.13	4.87
25	COLORADO	95.00	5.00
26	NORTH DAKOTA	94.97	5.03
27	CALIFORNIA	94.97	5.03
28	ARIZONA	94.73	5.27
29	UTAH	94.73	5.27
30	ARKANSAS	94.70	5.30
31	RHODE ISLAND	94.07	5.93
32	LOUISIANA	93.73	6.27
33	FLORIDA	93.66	6.34
34	NEBRASKA	93.47	6.53
35	MASSACHUSETTS	93.42	6.58
36	NEVADA	93.06	6.94
37	MAINE	92.96	7.04
38	SOUTH DAKOTA	92.87	7.13
39	MISSOURI	92.48	7.52
40	VERMONT	92.21	7.79
41	MICHIGAN	92.19	7.81
42	KANSAS	91.76	8.24
43	PENNSYLVANIA	91.63	8.37
44	ILLINOIS	91.51	8.49
45	CONNECTICUT	89.65	10.35
46	DELAWARE	89.41	10.59
47	MARYLAND	89.40	10.60
48	NEW JERSEY	88.02	11.98
49	OHIO	86.37	13.63
50	NEW YORK	84.31	15.69
	TOTALS	4,715.83	283.89
	NATIONAL AVERAGES	94.32	5.68

NOTE: SUBSEQUENT TO THE COMPLETION OF OUR RESEARCH, THE FIFTEENTH ANNUAL REPORT TO CONGRESS WAS ISSUED. OUR FINDINGS DO NOT INCORPORATE THE RESEARCH TO WHICH THE READER IS DIRECTED FOR THE MOST RECENT DATA.

TABLE 2

NUMBER OF CHILDREN AGE 3-21 SERVED IN DIFFERENT EDUCATIONAL ENVIRONMENTS DURING THE 1989-90 SCHOOL YEAR

RANK	STATES	REG. CLASS & RESOURCE ROOM	MORE RESTRICTIVE FACILITIES OR PLACEMENTS
1	WYOMING	93.94	6.06
2	IDAHO	85.84	14.16
3	OKLAHOMA	84.65	15.35
4	OREGON	84.65	15.35
5	IOWA	82.89	17.11
6	ARKANSAS	82.64	17.36
7	SOUTH DAKOTA	82.61	17.39
8	VERMONT	82.02	17.98
9	MAINE	81.20	18.80
10	ALASKA	81.03	18.97
11	NORTH DAKOTA	80.75	19.25
12	KENTUCKY	80.14	19.86
13	MONTANA	80.13	19.87
14	NEVADA	80.13	19.87
15	UTAH	79.99	20.01
16	NEBRASKA	79.60	20.40
17	NORTH CAROLINA	78.69	21.31
18	NEW MEXICO	78.47	21.53
19	VIRGINIA	77.89	22.11
20	WASHINGTON	77.89	22.11
21	TENNESSEE	77.79	22.21
22	COLORADO	77.18	22.82
23	MISSISSIPPI	76.74	23.26
24	MINNESOTA	76.74	23.26
25	MASSACHUSETTS	75.31	24.69
26	SOUTH CAROLINA	75.09	24.91
27	ALABAMA	73.75	26.25
28	ARIZONA	73.59	26.41
29	DELAWARE	73.19	26.81
30	TEXAS	72.28	27.72
31	MISSOURI	71.84	28.16
32	NEW HAMPSHIRE	71.39	28.61
33	WEST VIRGINIA	70.24	29.76
34	WISCONSIN	70.24	29.76
35	KANSAS	69.89	30.11
36	MICHIGAN	69.63	30.37
37	INDIANA	68.49	31.51
38	CALIFORNIA	68.27	31.73
39	GEORGIA	67.56	32.44
40	HAWAII	67.29	32.71
41	CONNECTICUT	66.97	33.03
42	RHODE ISLAND	66.18	33.82
43	FLORIDA	65.97	34.03
44	MARYLAND	62.79	37.21
45	PENNSYLVANIA	62.58	37.42
46	ILLINOIS	59.31	40.69
47	NEW JERSEY	57.66	42.34
48	OHIO	57.56	42.44
49	LOUISIANA	55.14	44.86
50	NEW YORK	41.58	58.42
	TOTALS	3,677.39	1,322.61
	NATIONAL AVERAGES	73.55	26.45

III. METHODOLOGY

A. Sources of Data

A variety of different approaches for gathering data about barriers to inclusion were necessary in order to obtain a more complete picture of the operation of special education in Illinois and the reasons that inclusive education is not being more fully implemented. As a result, the research included several different discrete components, each of which will be described in greater detail below.

1. Focus groups

One source of data was the use of focus groups for the purpose of gathering information from a wide cross-section of individuals who had varying levels of personal experience and involvement with special education and inclusion. In the course of the study, nine focus groups were conducted in which approximately 80 people participated. These focus groups included a mix of parents, educators and related service professionals. Some participants were both professionals and parents of children with disabilities. The participants in the focus groups were racially and geographically diverse and the locations included Rockford, Springfield, Keenyville, West Suburban and five focus groups in Chicago. Two of the focus groups conducted in Chicago targeted individuals affiliated with Fiesta Educativa, a special education advocacy group serving the Hispanic community, and individuals identified by the Family Resource Center for Disabilities, a statewide advocacy and training center for families with disabilities. Three of the focus groups were primarily composed of special education professionals and/or administrators. The focus groups utilized an informal dialogue format in which the principal author asked questions which were discussed by the participants. Responses were recorded and subsequently organized by the project staff. Participants in the focus groups were identified on the basis of an extensive canvas of the state to identify individuals who had information about, and interest in inclusion issues and represented a wide range of persons from across the state. It should be noted that the participants were not selected randomly, but were chosen deliberately based on pre-screening indicating that they had had some experience with special education and inclusion.

2. Study of Illinois target schools

A second focus of the research was a study of six target schools located throughout Illinois. These six schools were selected on the basis of our desire to identify schools which were relatively more inclusive and schools which were relatively less inclusive in urban, suburban and rural settings. The six schools were identified on the basis of an informal survey of education professionals and parents throughout Illinois for the purpose of identifying schools that could be regarded as model schools for inclusion and, by contrast, schools not supporting inclusive practices but willing to participate in the study. Some schools which were identified as appropriate for study refused to participate. Those schools which did participate were provided a commitment that information that personally identified informants would not be disclosed.

The study of the six target schools incorporated five different research components. The first was the distribution of a questionnaire to all identifiable parents of children with disabilities who attended or resided within the catchment area of the target school. This questionnaire sought detailed information about the experience of these families with the educational process, including the identification process, the evaluation procedures, the planning process and implementation of educational programs for their child. Three hundred and sixty questionnaires were distributed and approximately 40 responses were received, reflecting an 11% response rate.[4]

The second component involved the interviewing of a cross-section of school staff from each of these schools. This typically included both regular and special educators based at the school, special education supervisory personnel and regular education administrators. In all, 54 staff were interviewed among the six target schools. These interviews were conducted in person by project researchers using a structured interview format lasting approximately one hour. The information obtained from the interviews was then collated and categorized for the purpose of organizing and generalizing the data received.

The third component was personal interviews with 20 parents whose children with disabilities attended the target schools and had agreed to be interviewed.[5] For the most part, these interviews were conducted in person, although in some instances they were conducted by phone. These interviews typically lasted in excess of one hour. As with the interviews of school staff, the results of these interviews were collated and analyzed. Regrettably, many parents in the target schools were unwilling to participate in the study or could not be identified to even seek participation. In fact, the 20 parent interviews are drawn from five of the six target schools, as no parents could be identified or were willing to participate from the urban non-inclusive school. Staff at that school explained this reluctance on the basis that the school population was highly impoverished and it was perceived that participation in this type of study would not be of interest to most of this school's parents, for whom survival was the priority. This is supported by research showing that poor families are at times less able to recognize or respond to their children's developmental needs, as they are more focused on meeting other more pressing survival needs. See Mlawer, "Who Should Fight? Parents and the Advocacy Expectation," 4 Journal of Disability Policy Studies 105, (1993).

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[4]The questionnaire consisted of 15 pages of various types of questions (fill in the blank, multiple choice, and essay). To elicit a larger response, some school districts issued follow-up letters or offered assistance to parents in filling out the questionnaires.

[5]Some parents who filled out the questionnaire did not want to be interviewed (just as they did not want their children's files reviewed). We interviewed more than 50% of the people who sent back questionnaires. Several parents consented to the interview and could not be reached (didn't respond) when called at the appointed time.

An additional component of the study of target schools was a review of the records of 28 students with disabilities within those schools. These record reviews were again contingent upon receiving consent from parents. By virtue of the limited number of parents providing consent, a relatively limited number of files could be reviewed. Again, the study of the non-inclusive urban school did not include review of student records because no consents were obtained for the same reasons described above. Finally, relevant school policies and/or records provided by the target schools were reviewed. All of the above information was then integrated for the purpose of drawing some conclusions about the issues which have arisen in these schools with respect to the delivery of services to children with disabilities.

3. Comparison of Illinois practices to two other states

The third area of research was an investigation of educational practices in two states identified as being significantly further along than Illinois in the implementation of inclusive practices. The two states, Colorado and Vermont, were identified on the basis of a review of statistical data containing rates of inclusion of children with disabilities in regular education at the neighborhood school, along with extensive canvassing of knowledgeable professionals at the state and national level, including ISBE staff, IPCDD staff, Project CHOICES staff, special education administrators, and national leaders knowledgeable about inclusion.[6] In addition, it should be noted that Vermont was selected by virtue of a congruence between its relatively high ranking statistically with respect to inclusion of children with disabilities in regular education and a shared perception among many educational professionals interviewed that it is engaged in a wide variety of educational practices which are regarded as models for promoting inclusion.[7]

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[6]The following factors were considered in choosing the target states:

1. Key informant comments
2. Rankings in reports regarding least restrictive environment
3. Willingness to work with us
4. Availability of rules and regulations
5. Resource material available on state work
6. Contacts within state
7. State initiative or school district initiative
8. Demographics
9. Leadership of state officials

Colorado and Vermont were seen as states with significant state leadership, a willingness to cooperate and were highly regarded by key informants.

[7]While Vermont is a rural state, many of Illinois' school districts are also rural. In fact, a report from the Illinois State Board of Education, Office of Management and Policy Planning, Research and Evaluation entitled "A Community Typology for Illinois Public School Districts" (1987) indicates that in 1987, 50.8% of the school districts met the definition of a rural school

Colorado ranks substantially above Illinois with respect to the percentage of children with disabilities who participate in or are based in regular education. On the other hand, Colorado does not rank nearly as high as Vermont or many other states in this regard. Instead, it was selected due to the confluence of perception in the professional community that there is strong support for inclusion at the state level, indicators suggesting that it is among the model states in adopting promising practices to support inclusion, and our conclusion that it most closely compared to Illinois with respect to its demographic mix among the states that were identified as potential model states.

The study of the two model states included interviews with a number of state board of education administrators, dialogues with a representative of at least one identified advocacy organization within the state, review of the states' policies and procedures with respect to special education and inclusion and discussions with staff of an identified local school perceived by the state education agency to be especially successful in promoting inclusive practices.

4. Review of ISBE special education due process system

The fourth element of the research was a detailed review of virtually all Level I due process decisions which have been issued in the last four years in Illinois. This ultimately involved 421 due process decisions, which were analyzed to determine whether inclusion and/or least restrictive environment had been a key issue in the dispute between the parents and local school and to identify who was the prevailing party in the dispute. This review was undertaken in order to assess the positive or negative impact of the due process system upon the implementation of inclusive practices in the state. In addition, ISBE hearing officer training materials were reviewed, as well as hearing officer employment histories and other research on our due process system.

5. Illinois State Board of Education policy and practice review

Another element of the study was an analysis of State Board of Education regulations, policy statements distributed to local school districts, and several key funding procedures and operational practices. These policies, procedures and practices were reviewed through a study of both written materials and information obtained from the many individuals interviewed both within the target schools and through the focus groups.[8]

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district.

[8]It should be noted that the State Board of Education staff were not interviewed as part of this study and their views are, with a few exceptions, reflected here only to the extent that they have been captured in public statements. The decision not to interview the State Board of Education staff was based both on the fact that they have provided indirect funding and support for the grant and in order to preserve the autonomy of the researchers. The researchers recognize the value that a direct study of State Board of Education staff and internal practices

6. Literature survey

Finally, our research included a review of a wide array of literature emanating from sources in Illinois and available on the national level.

In sum, a substantial amount of data has been collected from a variety of different sources. Some of the individuals providing data were strongly in support of inclusion, others were quite skeptical or opposed, and still others were either neutral or uninformed about inclusive practices. The use of a variety of different data gathering approaches produced results which were consistent.

B. Methodology

On the whole, the data presented tends to be qualitative, rather than quantitative. As indicated above, it was not the purpose of this study to prove that inclusion was desirable or undesirable. Rather, for the reasons stated, the study worked from the operating premise that inclusion was as a general principle desirable and had as its purpose to identify barriers to inclusion and ways that those barriers could be mitigated or eliminated. As such, it was felt that a quantitatively based study was neither necessary nor appropriate. Further, the broad scope of this study and the limited funding provided made an empirical study unfeasible. While the study did not primarily utilize quantitative methods, it did obtain data from a wide variety of sources to form conclusions about barriers to inclusion at the local level. There is increasing support for non-traditional research techniques in the professional literature. See, for example, Bodgan and Lutfiyya, "Standing On Its Own: Qualitative Research in Special Education," Controversial Issues Confronting Special Education: Divergent Perspectives, edited by Stainback & Stainback (1992). See also Biklen & Mosely, "'Are you Retarded? No, I'm Catholic': Qualitative Methods in the Study of People with Severe Handicaps", 13 JASH 155, 157 (1988). In fact, our conclusions take on added force by virtue of a relatively high degree of consistency in findings from the focus groups, the target schools, the study of model states and the review of other sources of information.

We believe the information obtained to be, overall, a relatively accurate picture of the barriers to inclusion, even if there may be some disagreement as to the relative priority or significance of particular identified barriers. It is in this context that our conclusions about existing barriers are presented.

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would have and hope that such research will be conducted in the future through other studies. However, it should also be noted that a variety of information was solicited, and in most instances, received from ISBE staff. Where appropriate, this information has been incorporated in the report.

IV. SELECTED FINDINGS FROM SPECIFIC DATA SOURCES

A. Key Variables Supporting Inclusion in Model States Which Are Not Present in Illinois

Differences exist in the way that services are delivered to children with disabilities in both Vermont and Colorado as compared to Illinois. These differences have contributed to a greater degree of success in both states in serving children with disabilities within regular education at the schools the children would attend if they did not have disabilities. Two key variables stand out in Vermont and Colorado which promote inclusive educational practices. First, each state has a funding formula which is essentially neutral as it relates to the way the children with disabilities are educated. What this means is the school districts do not receive any financial reward or incentive for serving children in more restrictive settings. Rather, funding is received independent of the location of services or the restrictiveness of programming. Key informants in both states identified the neutrality of funding as a critical element in producing a change towards more inclusive educational programming. The former Director of the Division of Special and Compensatory Education for the Vermont Department of Education explained, "In retrospect, the funding formula was a huge incentive [for segregation]. Now it is placement neutral and this has made more difference than anything. It took four years to bring it about."

The second key variable in producing more inclusive programming was the emphasis on staff training. In Vermont, a specific percentage of the state's special education budget is committed to in-service training to support inclusion of children with disabilities in regular education. In Colorado, there is a commitment at the state level to significant staff training to support regular and special educators in provision of appropriate services and adaptations to children with disabilities within regular education.

Several other features of Vermont's educational delivery system provide significant support for inclusive practices. These include the presence of a fairly clear definition of inclusion at the state level and the enactment of a state law, Act 230, which provides direct support for the development of inclusive practices. This Act provides for support for extra efforts at early intervention in order to reduce demand for special education services, extensive and creative use of local resources in collaboration and problem-solving to support the education of children with disabilities in regular education and a non-categorical service delivery system. Vermont also tightened eligibility standards to assure that only those children who are clearly in need of special education receive it and it actively monitors those school districts with excess child counts relative to state averages for the purpose of determining why increased identification of children with disabilities is occurring.

Another factor in Vermont is the relative absence of segregated schools. In addition, Vermont is seen as a strongly community-based state in which there is already some overall sense of inclusiveness at the local level with respect to all community and government activities. This has promoted a sense of ownership by the local schools with respect to children with

disabilities and reduced the need for a significant shift in attitude toward children with disabilities within the broader community.

A final factor identified by informants in Vermont is that the state education agency made an explicit and concerted effort to build consensus with the teachers' union while plans to promote inclusion were being developed. As a result of this effort, the teachers' unions were active participants in the formulation and implementation of the state's plans to promote inclusive practices. This substantially reduced resistance to inclusion at the outset.

The study of inclusive practices in Colorado also revealed several features which served to promote inclusive practices which are not present in Illinois. The most notable difference was the considerable emphasis placed by the state education agency on participation of parents at every level. This effort includes the participation of parents on state education agency monitoring teams which are used to review local school districts. Further, local parent councils are consulted when the state education agency is monitoring local school activities. The state also created a parent-professional forum and has provided substantial funding to parent support centers that provide advocacy training and support to individual parents. It has also established regularly conducted weekend training retreats for parents.

In addition, every local school district has a special education parent council. While this has positive and negative implications for inclusion, it apparently has created a greater level of involvement and empowerment for parents of children with disabilities.[9]

A second feature unique to Colorado is that the state's school code specifically provides for a greater degree of parent choice with respect to educational decision-making. Although parents are not given exclusive authority or control over the decision-making process, they appear to be given a greater degree of input with respect to options for services than occurs in Illinois. See 1 Co. Code of Regulations, 301-8, 2220-R-5.04.

A third difference between Illinois and Colorado is that, according to a ranking administrator in the Colorado Department of Education, Colorado is making an effort to move away from a deficit-based model for identifying the needs of children with disabilities and is shifting to a decision-making model focused on building on the child's strengths and abilities. This was seen as making a significant difference in the implementation of inclusive practices.

In addition to the positive indicators in these states which serve to support inclusive practices, several characteristics in these states were felt to continue to present barriers to

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[9]According to the State Director of Special Education, the Colorado Department of Education encourages the local school district to share information, budgets, restrictions, and differences in philosophy with parents. He commented that many local Directors of Special Education feel that the more parents know, the better things are going to proceed. Educating parents at the local level would also be educating professionals at the same time.

successful inclusion. One problem which is common to both Colorado and Vermont is the difficulty in providing effective services to promote the inclusion of children identified as having emotional or behavioral disorders. Informants in both states indicated that schools still lack the methods, resources, and commitment to serve children effectively with severe emotional and behavioral disorders within regular education, with or without adequate supports and feel that intervention needs to be broader than just through the schools. Both states' officials believe there is a need for further study of ways to serve children with these disabilities effectively within regular education. Existing successful methods of providing services to these children need to be further disseminated so they are more accessible to school districts and could be incorporated in their repertoire of service delivery.

An additional concern identified by informants in Vermont was the continuing resistance of some parents to the implementation of inclusive practices for their children. In particular, parents of children identified as having learning disabilities, attention deficit with hyperactivity disorder, and emotional or behavioral disorders were identified as being resistant due to fear that their children would be lost or receive inadequate service within the regular education structure.

In Colorado, a number of concerns were identified with respect to continuing barriers to successful inclusion. These included a perception that there still was confusion at both the state and local levels over what inclusion meant and how it was to be implemented. One state official said, "The lack of a definition for inclusion is a major barrier in the state." Further, there was significant resistance to inclusion at the local school district level and in the regular education and special education professional communities. Another official explained the barriers are "attitudinal only. It's not a money issue." In addition, there was a perception that while there was significant effort devoted to front-end training of staff with respect to inclusive practices, there was insufficient ongoing training for regular and special education staff on how to sustain efforts to provide effective inclusive educational services. Concern was also expressed about the inadequacy of early or preintervention plans to respond to the needs of children presenting behavioral challenges. Finally, there was concern that insufficient attention was paid to creating scheduling opportunities for local school staff to collaborate and provide planning and consultation for particular children.

It is apparent from our review of the two model states that these states have developed a variety of practices in support of inclusion which are not present in Illinois. These practices have contributed to greater success in implementing inclusive practices for a wide range of children with disabilities. At the same time, these states continue to encounter many barriers to inclusion. Colorado, in particular, has a long way to go before inclusion is widely accepted and consistently implemented among school districts throughout the state.[10]

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[10]It should be noted that the study of the two model states was only a small part of the overall research project. Despite this, much useful data was gathered. It is likely that a more intensive study of these states and/or other states, identified based on a combination of greater success with inclusive practices and demographic commonality with Illinois, would produce even

B. Key Differences Surrounding Planning and Decision-Making for Children with Disabilities in Three Inclusive and Three Non-Inclusive Illinois Schools

A significant element of the overall research project was the study of six target schools within Illinois for the purpose of identifying barriers to inclusion and ways that schools which had implemented inclusion to some degree had overcome the barriers which they had experienced. In the course of our study of these schools, it became apparent that there was a tremendous degree of variability among both the identified "inclusive" and "non-inclusive" schools. Among the identified "inclusive" schools, this variability included a range of degree of participation in regular education by students identified as having disabilities, a range in the proportion and nature of inclusiveness, a range in supports provided to the staff and a range in the definitions of inclusion being utilized. One school was highly inclusive with respect to several grade levels, but not very inclusive at other grades. A second school was highly inclusive for children with certain identified disabilities. For children with other disabilities, although they experienced somewhat greater mainstreaming than might be typical in other schools, they were nonetheless based in self-contained environments. In addition, this school experienced an over-representation of children with disabilities, as it was perceived as an educational site of choice by both parents and school district administrators. The third school, which was perceived to be highly successful in including children with disabilities across grade levels and across disability categories, continues to operate a tracked program for children identified as gifted, which had the effect of excluding children with disabilities from participation in these programs and continued to create a differential or segregated orientation in some school operations.

Among schools identified as being "non-inclusive" there was also a high degree of variability. This variability included a range in the presence of self-contained classrooms and resource rooms within the schools, a varying commitment to mainstreaming and differences in the extent to which children with disabilities were served within the building or placed in other settings within or outside of the school district. One of the "non-inclusive schools" had actually been a project site for Project CHOICES technical assistance, but had abandoned its efforts to promote inclusion because of the conclusion by the principal that it was not working effectively, in part due to inadequate staff resources.

The study of identified "inclusive" schools revealed a number of factors which are important in successfully implementing inclusive practices within local schools. First, at all three schools, the building administration and the school district administration evidenced a commitment to the implementation of inclusive educational practices for children with disabilities. Motives varied: two schools had moral and educational reasons; one school wanted "to advance with the times [in order to] stay an open, viable school." While this support manifested itself in various different ways in each of these schools, it was nonetheless significant

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more information which would be of use in promoting inclusive practices in Illinois.

and was demonstrated in the attitude of staff, the availability of resources, and the ways in which decisions were made with respect to the allocation of personnel and resources for specific children.[11]

A second key characteristic was that the schools provided some, if not always adequate, supports for teachers and students with disabilities within the regular education environment. These supports included availability of teacher consultants, availability of special education consultants to assist the regular educators, provision of classroom aides, in class (integrated) speech, occupational and physical therapy, and the provision of release time. It should be noted, however, that the level of support varied in some of these schools, resulting in variations in the extent of inclusive practices.

A third variable which supported inclusion was the presence of significant in-service training for regular and special education staff with respect to inclusive practices. This training, which again varied among the schools, included training prior to implementation of inclusive practices for particular children, as well as on-going training for staff after inclusive practices had been implemented. The quality and intensity of inservice training differed among the three inclusive target schools. Examples by school include: 1) Suburban school-High credibility consultants spoke to the entire staff of the district with the aim of changing attitudes, outside people who had seen inclusion work were brought to the district, two teams of people were sent for two weeks to an inclusive school in Canada, summer inservice was provided, on-site observations by university experts were arranged, and an emphasis was placed on educating ALL children; 2) Rural school-Forums for expressing concerns were held, ongoing technical assistance was made available, the co-op provided inservice on inclusion, cooperative learning and teaching, pertinent journal articles and videos on adaptations and learning strategies were distributed and visitations to other individual schools were arranged for school staff; 3) Urban school-Staff was encouraged to attend the TASH Conference and to visit other inclusive sites, Project CHOICES technical assistance was obtained, team building workshops were conducted and a human relations consultant was utilized. Notably, the school where inclusion varied by disability category provided the least degree of teacher training and support. While all three schools acknowledged a need for continuing the in-service training already being provided, these same schools expressed a need for greater support and training.

In addition to the various supports described above, the inclusive schools studied demonstrated a high level of team teaching between special and regular educators.[12] They also

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[11]One administrator from a rural inclusive school notes: "If district and school administrators and principals don't change and provide support, inclusive practices won't be successful. Inclusive practices are part of the philosophy of providing sound educational practices for all students. The future is inclusion. It is not a fad."

[12]One regular education teacher [at the rural inclusive school] explained, "I learned from the special education teacher. The advantage of a team in the room is that there is someone to help

demonstrated a higher level of collaboration and planning among regular and special education staff and a greater degree of involvement by related service providers with regular education staff, particularly in the delivery of related services within the regular education classroom. Again, the degree of collaboration appeared to increase proportionately with the overall extent of inclusion established at the particular school.

As an outgrowth of the above variables, these schools manifested a higher level of staff and community support for inclusion. Again, this support varied with the highest level of support existing in the school which had the highest level of success in implementing inclusive practices. Experiencing inclusion, rather than planning and discussing it, elicited these comments: A regular education teacher from a suburban inclusive school said, "We did it without a textbook and just experienced it. I had two students with disabilities in my class. One vomited for self-stimulation and one had seizures. Now I realize no child should be excluded." A formerly skeptical related service provider explained, "It's this school that has changed my attitude. All special need kids have received an excellent education and are part of their homeroom. There's been wonderful progress with these kids. Inclusion will get better and we'll become more sophisticated in terms of service delivery." Another related service provider simply stated, "I'm a convert. Now I know it's important to grow up in an environment where students see disabled children. It enhances quality of life. Non-inclusive schools are unfortunate for any child with disabilities." However, in the school which implemented inclusion depending on category of disability, a high level of skepticism remained among various elements of the school staff relating to a perceived discrepancy between the theory of inclusion and the degree to which support was actually being provided by the central administration. It should be noted that this school was in an urban school district, where resources were at issue as a general concern in the operation of the school system.[13]

Even among the schools which were identified as having success in implementing inclusive practices, a number of barriers were still present. Two of the schools identified difficulty in providing services to children with severe emotional or behavioral disabilities. In the rural inclusive school, several of the personnel felt that students with behavior disorders may need more intensive one-to-one instruction and administrative support. One person stated, "Separate but equal educational opportunities may be in order," for the students with behavior disorders. The staff discussed including students in other learning environments, like the community, if it is not working in the regular classroom. They brainstormed nontraditional ways to provide inclusive instruction.

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you through a difficult time in the classroom."

[13]Many other practices supporting inclusion were identified by these schools: Suburban: developing a five year plan, delabeling staff and students, peer coaching, team meetings, types of materials offered to teachers were changed, networking within district, sharing lesson plans, teaching with cooperative groups, hands-on, varied techniques; Rural: Strong public relations, participation in surveys and research studies, co-teaching.

Informants at several of the schools indicated that there were other groups which were also presenting greater challenges in participation in regular education at the neighborhood school. These groups included children with severe psychiatric problems. In addition, one inclusive school included children identified as EMH, but not those identified with other more severe disability labels. In another school, while children with disabilities are included in regular education, children who are gifted are tracked out.

Another concern was that in two of the three schools, the implementation of inclusion was in fact limited to very specific target groups. In the urban school, inclusion appeared to be implemented on the basis of disability category. If students fell into the targeted disability category and grade, they might be fully included, meaning that they were primarily based in regular education. On the other hand, students who happened to have other disability labels or the targeted disability in the wrong grade remained based in self-contained classrooms at this school, with varying degrees of integration into regular education. One apparent reason for this was the dramatic over-representation of children with disabilities at this school, which apparently arose from a perception that this school was "special ed friendly" by both parents and the larger school system. Beyond this, the inconsistent implementation of inclusive practices apparently arose from a combination of insufficient resources and mixed feelings from school staff.

In the rural "inclusive" school, inclusion appeared to be successfully implemented for children in that particular school, which only serves grades four and five, but not district-wide. Staff expressed concern that there was no logic to having children experience the success they were having in inclusive settings and then return to more restrictive settings simply because the school district had not yet implemented inclusive practices across the board. The failure to implement inclusion consistently appeared to be a function of the school district's desire to implement inclusion on a trial or gradual basis before fully embracing it. Some informants at this school expressed particular concern that it was unfair and counter-productive for children who had experienced success in an inclusive setting to be forced back into a more restrictive setting.

A concern expressed in two of the three schools was that their reputation as being in support of inclusive practices had led or would lead to an influx of children with disabilities whose parents would desire participation in inclusive practices.

Just as our review of practices in the "inclusive" schools revealed much about those characteristics which have furthered inclusion, much can be learned from our review of the schools identified as "non-inclusive." These schools tended to have a disproportionately high number of children with disabilities. Each was identified in some fashion as a cluster site for special education services. Each, however, was a regular education school with segregated special education classrooms. The most notable feature of these schools as it related to inclusive educational practices was the lack of support for implementation of inclusion at the administrative level. In two of the three schools, the administrators explicitly rejected inclusion as a desirable model for services to children with disabilities. According to one administrator (urban non-inclusive) the school received a grant through the State to "...do inclusion. We still

have the grant although the program has been modified...there are no guidelines so it can be done any way." As the person in charge of inclusion this administrator, "put the children back in special education as a base because of problems." In the third school, higher level administrators were beginning to explore the issues surrounding inclusion with some plan for potential implementation of inclusion over time. This suburban administrator explained, "We have only begun to think about possibilities of inclusion. We accepted what we had as just fine. At state hearings...we learned that inclusion can be many different things. Someone will make schools do inclusion. Our district will do it. I hope it works really well."

The lack of support for inclusion at the administrative level carried over in the attitude of school staff who were interviewed at the various sites. The attitude of school staff at these facilities could be described as, "If it ain't broke, why fix it?" Staff at these facilities generally perceived that special education programs using a self-contained or other restrictive model were working well and were necessary for appropriate education for children with disabilities. These staff tended to have relatively limited or no direct experience with inclusive education practices, but held in high regard the programs with which they have been historically involved.

Among the barriers apparent from staff at these "non-inclusive" schools are their articulated fears of the suspected negative consequences of inclusion. Fears articulated by staff included comments such as, "I don't see the needed supports coming as promised. The little that I know is not enough and I don't even know if that is correct. I am willing to learn, but not go out on a limb without proper training and validation. Regular teachers have a big fear that we may get ourselves into something we can't get out of." In addition, staff expressed a lack of confidence about their ability to implement inclusive practices, relating to curriculum adaptation, behavioral supports, collaboration and a variety of other aspects of the nuts and bolts of implementation of inclusive programs.

"Everything in this school is fine. The programs are appropriate. The system is working...I hope nothing will happen with inclusion at the school. Many students can't function in the regular classroom."

Staff member - rural noninclusive school

In two of the three identified "non-inclusive" schools, there was a wider range of interest by parents of children with disabilities than there was among school staff. In both the suburban and rural "non-inclusive" schools, several parents articulated the desire that their children be served within inclusive settings. Parents said: "I think the idea of an inclusive school would be fantastic. They never should have separated kids in the first place"; "Inclusion is a great idea and it should have been done a long time ago"; "I would be happy if the school became inclusive because it would benefit my son academically and socially." In the third "non-inclusive" school, which has been previously identified as being in a highly impoverished urban area, the parents were not very involved in the educational process. As previously indicated,

the school administration perceived that inclusion or issues surrounding inclusiveness would be a low priority for these parents by virtue of priority concerns surrounding survival.

Significantly, in two "non-inclusive" schools, data was obtained that the level of parent dissatisfaction reported in both the questionnaires and interviews regarding their children's social interactions was significantly higher than that identified by parent reporters in three "inclusive" schools. Comments by parents in the two "non-inclusive schools" included: "My child feels like an outcast"; "My child suffers greatly"; My child is not accepted by the regular ed [teacher]"; "My child is angry and has low self esteem." It should also be noted that among the several "non-inclusive" schools studied, there was also a range of commitment to participation of children with disabilities in regular education through mainstreaming.

Overall, the characteristics present in each of the six schools studied as they relate to inclusive practices can be seen on a continuum. This continuum reflects the evolving nature of implementation of inclusion, including the range of children with disabilities participating in inclusive practices, the age of these children, the location of these services and the amount of time the school district has been involved in implementing inclusive practices. There also appears to be considerable variability based on different perceptions of what inclusion means, as well as differences based on commitment to inclusion and availability of resources to support it. As Table 3 indicates, there appears to be a direct correlation between the presence of identified factors which contribute to successful implementation and the degree to which implementation has been consistently put into place by the particular schools.

Table 3

Range of Presence of Characteristics
Affecting Inclusive Practices in Six Target Schools

Low	Low-Moderate	Moderate	Moderate High	High	Characteristic
UN, RN, SN		UI[B]	RI[A]	SI	Overall level of inclusion
RN	UN, SN	UI[G]	RI[G]	SI	Bldg. or Dist. leadership
RN	UN, SN	UI	RI	SI	Adequate supports (staff, etc.)
RN	UN, SN	UI	RI	SI	Adequate training on inclusive practices
RN	UN, SN	UI	RI	SI	Support for collaboration and team process
UN[D]	RN[E]	SN[C]	UI[F], RI	SI	Staff and community commitment

A Reflects a high level of commitment, but implementation only for 4th and 5th grades

B Reflects inclusion for some children with disabilities by disability category and grade level

C Reflects some parent support, limited by district central administration

D Reflects perceived absence of parent involvement and lack of staff support

E Reflects lack of staff support, but some parent support

F Reflects lack of staff support, parent concerns i.e., implementation

G Reflects high building leadership, but lower district leadership

UI = Urban Inclusive School
SI = Suburban Inclusive School
RI = Rural Inclusive School

UN = Urban Non-Inclusive School
SN = Suburban Non-Inclusive School
RN = Rural Non-Inclusive School

A school district with the highest success in implementing inclusion also demonstrated a higher level of commitment to the components which were identified as variables which contribute to the success or failure of inclusive programming. The key variables identified through this component of the project included the presence or absence of support from the administration for inclusion and the strength of leadership with regard to this support, the availability of adequate supports to facilitate inclusion, including staff trained at promoting inclusive practices and support staff available to assist regular education teachers, the provision of adequate training to all staff with respect to inclusive practices, support from administration for collaboration and decision-making, and staff and community commitment to inclusive education.

The other important lesson from this component is the recognition that the schools identified as "inclusive" schools themselves demonstrated great variability in their understanding of inclusion and the degree to which they had success in establishing an inclusive educational environment for all children with disabilities. While the building administrators of each of these schools apparently had a high level of commitment to inclusion, this reflects the complexities that schools encounter when actually establishing inclusive programming and the time which will be needed for schools to reorganize to establish truly inclusive schools.

C. Process Barriers to Successful Inclusion

The reaction of parents, staff, administrators and advocates to the planning and decision-making process required by the IDEA indicates that there is much dissatisfaction. Information obtained through the six target schools and the focus groups suggested that the process was cumbersome and required excessive focus on paperwork to the detriment of dialogue. Many indicated that the process inhibits creativity and puts a damper on parent participation. Concern was expressed by many others that the current process was deficit based because it is structured to identify what a child cannot do and focuses goals and objectives in response to those deficits. Both parents and school staff felt that insufficient attention was placed on what a child could do and the goal of building upon strengths. An administrator in a non-inclusive school stated, "Parents participate equally if I am chairing the meeting. The structure does not lend itself to that. Parents should be taught self-advocacy...There should be less of a medical model...It should be collaborative and parents know more than we do about their children." Further, more attention should be provided to the nature of supports that the child requires, in contrast to the current focus on the nature of the child's disabilities or deficits.

The process not only was perceived by some as cumbersome, but also misdirected. Some commented that the IEP forms themselves do not adequately provide a method for addressing, let alone documenting, techniques, adaptations and supports and other elements of service delivery that need to be uniquely tailored to the particular child. Focus group participants, parent interviews and record reviews indicate that the least restrictive options were frequently not even considered. In many instances, the discussion of a child's educational program did not start with regular education and include consideration of supports necessary for that experience to be successful. Instead, it is commonplace that discussion started with some more restrictive

setting which was identified on the basis of the child's disability label. At the same time, most informants indicated a continuing conviction that procedural safeguards were necessary and that the IEP process was an important protection against the abandonment of the rights of children with disabilities.

A second set of concerns emerged from the discussions with parents and school staff. These concerns center around the degree to which the decision-making process, including the IEP process, is seen as excluding parents, being inadequately sensitive to the needs of children and being inadequate for the purpose of consistency and thorough planning.

One parent from a rural noninclusive school said:

> The decision in placing my children in special education year after year is always decided before the parent and teacher staffing and they tell us what they have recommended, and like a fool I have always signed this, not knowing there was anything I could do about it. I thought because they were the teacher and principal and even the psychologist that they knew what was best for my children, but I don't agree.

It is clear from the wide range of responses that parents feel overwhelmed,uninformed, intimidated and alienated by the IEP process. Parents articulated a perception that they felt outnumbered, unvalued and that their contributions were unwelcome. They frequently felt that the decisions had been pre-determined and that they had little impact upon the outcome. They also frequently expressed the perception that school staff had no recognition of how painful it was for parents to sit and listen to their children be clinically dissected, particularly with an emphasis on their deficits, in a way that they perceived to be demeaning, if not dehumanizing.

Parents also expressed a high level of distrust of the motivations of school staff and a perception that school staff could not be trusted to follow through on the commitments that they made. Parents often saw themselves as being the *de facto* case managers and in-service trainers, particularly for the regular education staff.

There was a clear sense that constant vigilance and effort were necessary by the parents in order to insure that even the minimal level of services promised by the school were being implemented.

"I don't want to be [the child's] educator. I'd like for him to come home and be his mom. I'm tired of being his therapist and teacher and those other roles."

Parent - Springfield focus group

An additional concern which a number of parents articulated was that there was little continuity or transition planning from year to year. In effect, each year the parents had to start from scratch in training a new set of school staff, by virtue of the relative absence of coordination or overlap between present and prior year's staff in working with a particular child. Further, the parents saw little effort on behalf

of school staff to assist the children in making the transition from year to year across settings and across teachers.

Some parents shared a perception that once a school district had agreed to serve a given child or set of children in a regular education setting, it was expected that the child would either make it on his own or that the adaptations needed would somehow naturally evolve. Parents shared many of the concerns held by school staff with respect to the need for follow-through and provision of adequate supports, and were fearful that these would not be provided in the regular education setting, despite the parents' philosophical commitment to inclusion.

"It just doesn't happen. It's not a choice . . . if the school remains noninclusive, I feel my son will not reach his full potential socially or academically."

Parent - rural noninclusive school

Our review of school records in the six target schools, in conjunction with interviews with parents and school staff, suggests that the placement decision is sometimes made before goals and objectives are written, and placement decisions and goals and objectives are sometimes determined prior to the IEP conference. According to one administrator in an inclusive suburban school district, "School personnel have pretty much predetermined everything." A representative comment from a staff person at the rural non-inclusive school was, "Parents have limited vision concerning their own kids." To the extent that these concerns are present, they reflect not only a violation of the technical requirements of federal and state law, but also an impediment to the implementation of inclusion. Inclusion dictates an even more individualized approach to delivery of services to children with disabilities than traditional special education. Working from a belief that the status quo can be adequately characterized as one in which inclusion is the exception rather than the norm, particularly for children with moderate to severe disabilities, it follows that a process which is patterned or predetermined is likely to perpetuate the status quo rather than promote more inclusive opportunities for these children.

D. "Due Process": Justice Delayed/Justice Denied

Public Law 94-142 established an elaborate system of procedural safeguards designed to empower parents to challenge the decisions of school districts in order to assure checks and balances to the prerogatives of the school administrators. This due process procedure arose from a recognition of the importance of education, as well as the need for parents to be active participants in the decision-making process. (See case law discussion, pp. 9-11 above). While both parents and school districts are permitted to seek due process hearings under federal and state law, the process was created for the purpose of structuring some balance to the inherently unequal power relationship between school districts and parents. As such, the due process system can be seen has having been developed to provide protections to children with disabilities and their families in disputes with school districts.

Illinois has an elaborate due process system involving two levels of administrative review.[14] 23 Ill. Admin. Code §226.605 et seq. This system utilizes a panel of hearing officers trained by the State Board of Education and drawn from a wide variety of disciplines to serve as Level I hearing officers. Either party dissatisfied with the results of the Level I due process hearing may then appeal to a Level II hearing officer who is drawn from a panel of individuals who are members of the American Arbitration Association. Again, if either party is dissatisfied with the decision at Level II, they have the right to appeal into court. 23 Ill. Admin. Code §226.692. Under federal law, the entire Level I decision-making process is supposed to be resolved within 45 days. 34 CFR 300.512. In Illinois, by regulation, the entire process will take at least 90 days, without there being any delays. In fact, the Illinois State Board of Education has been repeatedly cited by the U.S. Department of Education Office for Civil Rights by virtue of the lengthy time delays which are experienced in obtaining due process decisions at both Level I and Level II in Illinois. While OCR has most recently found ISBE in compliance with Section 504 with respect to the delays, the hearings still typically average 81 days from request to decision. See OCR letter to Robert Leininger from Kenneth Mines, May 5, 1993.

The issue of delay is itself significant as it relates to inclusion. In Illinois, children with disabilities tend to be disproportionately placed in more restrictive settings as compared to children with disabilities in other states. As such, it is reasonable to assume (and the statistics which follow support the assumption) that many disputes surrounding inclusion will involve the parents' desire to move their children to less restrictive setting. Delay operates as a negative factor with respect to inclusion in two respects. First, any delay in decision-making means that everyone involved is left uncertain about the child's educational placement and needs. Equally important, state and federal law provide that the child who is the subject of an administrative dispute concerning placement must remain in the then-current educational placement while all administrative and legal proceedings are pending (also known as the "stay put" provision). 20 U.S.C. §1415(e)(3); 105 ILCS §5/14-8.02(k). Since the status quo typically is one in which the child is in a more restrictive setting, due process has the effect of sustaining the child in the undesired placement for whatever period of time the dispute is pending. Not only does this perpetuate the child's presence in the undesired location, but it creates a powerful disincentive for parents to fight with school districts surrounding inclusion issues, as their child will remain in the placement which they oppose for the duration of the dispute. This may provide motivation for parents to settle for something less than what they desire in order to avoid a long drawn-out battle with the school district, while it creates an incentive for the school district to sustain the fight for as long as possible in order to maintain the placement that it desires.

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[14]The due process system has particular importance in Illinois. A 1989 GAO study indicated that in 1988, Illinois had the second highest number of hearings of any state and the fifth highest rate of hearings in relation to the population of children with disabilities. "Special Education: The Attorney Fees Provision of Public Law 99-372," U.S. General Accounting Office (1989).

Not only is justice delayed and denied by virtue of the time involved in obtaining due process decisions, but the decision-making process itself produces results which are generally not supportive of inclusive educational programming. The data which follows demonstrates that the outcome of due process hearings is substantially skewed in favor of school districts. Further, with respect to the issues of inclusion and least restrictive environment, the due process decisions which have been reviewed generally favor school districts and the more restrictive, rather than less restrictive, placement options. These results indicate that recourse by parents to administrative and legal procedures to secure inclusive educational opportunities for their children may not be a likely means of obtaining the desired outcome if these cases actually go to a hearing, rather than settling.

It should be noted that a majority (almost 63%) of the Level I hearing officers on the Level I hearing officer panel are now or have previously been employed by school districts or special education cooperatives. See Table 4. No comparison of outcomes by hearing officers was conducted.

The rate of success of parents in an absolute sense is relatively low. As such, due process cannot be viewed as a particularly effective means of securing a less restrictive setting under most circumstances. On the other hand, in a relative sense, since parents succeed in overturning the district's position 20% to 30% of the time, due process remains, with all its faults, a feasible last resort to accomplish this end. Moreover, the author takes editorial note of his own personal experience, which is that many school districts agree to negotiate the implementation of inclusive programs after due process has been requested. These cases do not show up in the statistics, as they do not result in a final decision one way or the other.

Due to the complexity of due process decisions, it is practically impossible to neatly categorize the decisions. Due process issues vary in type, number, and combination. The method of categorization used here is meant to simplify and quantify these decisions in the manner most helpful for purposes of determining the impact of due process hearings on the implementation of inclusion in Illinois. Each decision, to some extent, had more than one dispute or issue to be resolved by the hearing officer. However, for tabulation purposes, each decision was categorized according to the primary issue discussed.

A further complication arose from the fact that the due process decisions, as issued by the Illinois State Board of Education, were edited in compliance with state laws on confidentiality of school records. The blacking out of information such as the names of schools or programs often hindered efforts to determine what type of placement these schools or programs offered as well as whether these schools or programs were within the child's local school district. This difficulty prevented an entirely accurate count of "inclusion" cases.

Table 5 reflects the distribution of cases by category for the four years studied. Table 6 contains the data by category indicating whether the parents or school districts prevailed. As illustrated by the data and charts, the school districts prevail in a immensely disproportionate

rate in Subcategory A of both Category 1 and Category 3. For the entire four years between 1989 and 1992, the school districts have won 40 of 60 (66.7%) due process decisions involving parents requesting regular education placement with support services for their children. In this same period of time, the school districts have won 9 of 10 (90%) due process decisions involving parents requesting local placement for their children.

A few other due process decisions have indicated that the matter of inclusive placement was settled prior to the due process hearing. These decisions were categorized according to those unsettled components, and not as "inclusion" cases. Because the impartial hearing officers in these cases never rendered a decision on the placement issue, these cases were not considered in this study of how the due process system impacts on attempts at securing inclusive placements.

More subtle indications of the system's bias against inclusion are found in other areas such as decisions where parents refuse to provide consent to evaluation or placement [Category 4]. Often parents refuse to provide such consent because they believe that by denying consent, they can keep their children in their current placement or out of special education. However, school districts, over the four years studied here, prevailed in 31 out of 33 (93.9%) due process decisions involving parental refusal to provide consent. It should be noted that we do not presume that parent refusal to consent is always tied to a desire to keep their child in regular education, nor is it assumed that schools are necessarily wrong for seeking to overcome parent refusal. Nonetheless, it is believed that some of the refusal of consent cases do revolve around inclusion concerns.

Ironically, the school districts also prevail in 7 out of 8 (87.5%) due process decisions involving parents who prefer that their children be placed at a non-local school (usually a cooperative) as opposed to the school district's proposed local school placement. Most of these 8 decisions arose because of the school districts' decision, apparently for economic reasons, to pull out of cooperatives and provide their own local program. The objection from most of the parents in these 8 decisions was that their children would have difficulty adjusting to the new placement, and that the children were comfortable and doing well at the current placement.

While some of the other categories reflect a somewhat more balanced outcome between parents and school districts, the main categories dealing with placement show that the school district more often prevails regardless of the position it took. Between 1989 and 1992, the school districts prevailed in 89 out of 124 (71.8%) cases where the parents sought a less restrictive placement. The parents won only 23 of these 124 cases (18.5%), while the rest of the decisions ordered that a new IEP be done. Even where the parents sought a more restrictive placement, the school districts prevailed in 45 out of 70 cases (64.3%) while parents prevailed in only 19 cases (27.1%). As for cases where the parents sought a different placement [Category 3], the school districts in the same period of time prevailed in 38 of 54 cases (70.4%), compared to the parents' 11 (20.4%)

As indicated above, while due process is not a sure-fire mechanism for producing inclusive outcomes for children with disabilities, pro-inclusion outcomes are reached in a significant minority of cases which go to due process and in many additional cases which are resolved through mediation, prior to due process. Thus, while in absolute terms, the outcome of the cases we reviewed seemed to favor district decisions against inclusion, in a relative sense, we believe due process remains a significant and viable method for securing more inclusive outcomes. In a substantial number of cases, we were unable to determine that either party had prevailed by virtue of the orders issued by the hearing officer. It is clear that in many of these decisions, the hearing officers, apparently following training from the ISBE, ordered that a new staffing be convened and an IEP be developed, without explicitly adopting the position of either party. This ambiguous outcome does not effectively resolve the differences between the parties and often leads to even greater confusion and conflict.

Beyond the results of our direct review of the decision, there was considerable feedback from a wide variety of sources, indicating great dissatisfaction with the due process procedures, both with respect to the length of time that due process took and the inadequate outcomes which the due process procedures produced. We believe that due process could provide a more meaningful vehicle for resolution of parent/school disputes if issues of delay, competency and bias were addressed. Currently, whether fairly or unfairly, the system lacks credibility as a fair, efficient or competent process for resolving disputes.

TABLE 4

EMPLOYMENT WITH SCHOOL OR COOP		
Currently employed by school/coop	78	53.8%
Formerly employed by school/coop (including retirees)	13	9.0%
Never employed by school/coop	54	37.2%
All hearing officers who have ever been employed by school or cooperative	91	62.0%
BREAKDOWN OF HEARING OFFICERS' CURRENT OCCUPATIONS		
School/Coop	78	53.8%
Lawyer/Advocate	20	13.8%
Professional	12	8.3%
Private School Provider	4	2.8%
Retired	5	3.4%
Parent	1	0.7%
Others	25	17.2%

TABLE 5

CATEGORIZATION OF DUE PROCESS DECISIONS
for 1989-1992

1. PARENTS PREFER LRE	124
A. PARENTS PREFER REGULAR EDUC W/ SUPPORT	60
B. DISPUTE OVER SEVERITY OF DISABILITY	29
C. PARENTS OPPOSE ANY SPECIAL EDUC	35
2. PARENTS PREFER MRE	86
3. PARENTS WANT DIFFERENT PLACEMENT	54
A. PARENTS PREFER LOCAL PLACEMENT	10
B. PARENTS PREFER NON-LOCAL (PUBLIC) PLACEMENT	8
C. PARENTS PREFER PRIVATE/PAROCHIAL PLACEMENT	28[a]
D. PARENTS PREFER CHANGE OF SCHOOLS	8
4. PARENTS REFUSE CONSENT FOR EVALUATION/PLACEMENT:	33[b]
A. FEAR OF LABELING	17
B. NO REASON GIVEN (UNCOOPERATIVE)	15
5. PARENTS DESIRE SPECIAL EDUC	19
6. PARENTS WANT ADDITIONAL SUPPORT SERVICES	33
7. OTHERS (FROM PARENTAL PERSPECTIVE):	72
TOTAL NUMBER OF DECISIONS TABULATED	421[c]

[a] Eight of these decisions involved parental challenge of a decision by the school district to cease all resource and other support services being provided at parochial schools, and instead provide the same services at a school within the district while the education of the child remains at the parochial school.

[b] The additional due process decision dealt with parents who disagreed on the method of evaluating their child's special education needs. This decision is not counted in the subcategories.

[c] The number of due process decisions tabulated for the years 1989 through 1992 is significantly lower than anticipated, due to a failure by the ISBE to disseminate many due process decisions from the years of 1990 and 1991. The anticipated number of decisions was to be approximately 520, based on the average of 130 per year.

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TABLE 6

PREVAILING PARTIES BY CATEGORY OF DISPUTE

CATEGORY	DISTRICT	PARENTS	NEITHER
TOTAL OF ALL DUE PROCESS DECISIONS FOR 1989-92[a]	259 (61.6%)	111 (26.4%)	50 (11.9%)
1. PARENTS PREFER LRE			
A. PARENTS PREFER REGULAR EDUC W/ SUPPORT	40 (66.7%)	13 (21.7%)	7 (11.7%)
B. DISPUTE OVER SEVERITY OF DISABILITY	18 (62.1%)	8 (27.6%)	3 (10.3%)
C. PARENTS OPPOSE ANY SPECIAL EDUC	31 (88.6%)	2 (5.7%)	2 (5.7%)
2. PARENTS PREFER MRE	56 (65.1%)	23 (26.7%)	7 (8.1%)
3. PARENTS WANT DIFFERENT PLACEMENT			
A. PARENTS PREFER LOCAL PLACEMENT	9 (90.0%)	1 (10.0%)	0 (0%)
B. PARENTS PREFER NON-LOCAL PLACEMENT	7 (87.5%)	1 (12.5%)	0 (0%)
C. PARENTS PREFER PRIVATE/PAROCHIAL	17[b] (60.7%)	7[c] (25.0%)	4 (14.3%)
D. PARENTS PREFER CHANGE OF SCHOOLS	5 (62.5%)	2 (25.0%)	1 (12.5%)
4. PARENTS REFUSE CONSENT FOR EVAL/PLACEMENT:			
A. FEAR/DISTRUST OF LABELING/DISTRICT	16 (94.1%)	1 (5.9%)	0 (0%)
B. NO REASON GIVEN (UNCOOPERATIVE)	15 (100%)	0 (0%)	0 (0%)
5. PARENTS DESIRE SPECIAL EDUC	8 (42.1%)	8 (42.1%)	3 (15.8%)
6. PARENTS WANT ADDITIONAL SUPPORT SERVICES	13 (39.4%)	17 (51.5%)	3 (9.1%)
7. OTHERS (FROM PARENTAL PERSPECTIVE)	24 (33.3%)	28 (38.9%)	20 (27.8%)

[a] The total number of decisions is set at 420 instead of 421 as listed on the bottom of Table 6 due to there being an atypical case that does not fall within any of the subcategories (see Table 6, footnote b). This decision, although counted in the total number of due process decision cases tabulated, is not counted for statistical purposes with respect to prevailing parties.

[b] Six of these decisions involved a decision by the school district to transfer all services provided at parochial schools to be provided within the school district.

[c] Two of these decisions involved a decision by the school district to transfer all services provided at parochial schools to be provided within the school district.

V. OVERALL BARRIERS TO INCLUSION

A wide variety of barriers currently operate to prevent or limit implementation of inclusive practices at local schools. The barriers exist at all levels, ranging from the classroom through the operations and practices of state government. Some of the identified barriers are subtle, while others are quite obvious. Some reflect simply issues of orientation, attitude or information, while others involve the substantial structural barriers. These barriers can be generally grouped into ten different categories. These are information barriers, attitudinal barriers, technological and instructional barriers, leadership barriers, accessibility barriers, organizational barriers, financial barriers, regulatory barriers, legal barriers, and operational and implementation barriers. Barriers within each of these categories will be identified. After describing the barriers, a separate section follows which provides recommendations for how these barriers may be overcome.

A. Information Barriers

The predicate to all other barriers to inclusion is the barrier of a lack of information concerning what inclusion is all about. One special educator in the Chicago focus group asked, "What is inclusion? Will all the services that special education provides be lost in inclusion?" Another parent questioned, "Are inclusion and mainstreaming different?" Significant elements of all constituencies who participate in the educational decision-making and implementation process have little information, no information, or inaccurate information concerning inclusion. It is unrealistic to expect either at the policy level or the local level that inclusion will be implemented, let alone implemented appropriately, in the absence of a clear and consistent understanding of what inclusion entails. Parents, line staff and administrators all demonstrated widely discrepant understandings of what inclusion is. The range of perceptions include a belief that inclusion necessarily means that all children with disabilities would be educated in regular education 100% of the time with or without the provision of adequate support.

Others described inclusion as reflecting the presence of children with disabilities in regular schools, without regard to whether the regular schools were the schools the children would attend if they did not have disabilities and without regard to whether the children were based in regular education. Others emphasized the importance of children with disabilities being in their neighborhood school, but saw inclusion as being delivered through a satellite, cluster or self-contained special education model in which the self-contained classrooms are shifted from segregated schools into regular schools. Still others saw inclusion as focusing on mainstreaming, particularly for non-academic subjects. Further, there was much confusion as to whether inclusion was solely intended to address social interaction or was also intended to incorporate academic and instructional activities, with expectations that children with disabilities could benefit from participation in some form of the regular education curriculum, whether with or without adaptation.

A second informational barrier concerns strategies to implement inclusive programming successfully. Many informants articulated support conceptually for inclusion, but confessed a lack of understanding as to how inclusion would actually work for the children with disabilities with whom the informants were familiar. This inability to translate the ideal of inclusion into the reality of actual implementation was repeatedly identified as a significant barrier both by parents and school staff. Several parents made comments along the lines of, "I would love for all children to be included, but..." The "but" typically reflected uncertainty about how inclusion would work for either a particular child or a particular type of disability. Further, many informants were unaware of how existing resources could be utilized to support inclusion and assumed that there would need to be massive new and different resources provided in order to make inclusion viable. A non-inclusive suburban administrator explained, "I don't know if inclusion is possible for all disabilities. It is not possible without restructuring."

A third informational barrier related to a lack of understanding of the differing teaching techniques which are believed to be necessary for inclusion to be successful. One regular education teacher from the urban inclusive school expressed feelings of tremendous guilt because she feels she does not have the skills to include successfully the students who have mild retardation in her class. She "does not know what their disabilities are." With no strategies offered, she "just did it." Some informants, including some who were highly supportive of inclusion, saw inclusion as relating more to the place where services were delivered and less to how services were delivered. In fact, as this study indicates, inclusion does require significant emphasis on collaboration among teachers, related service professionals, administrators, support staff and the parents to have the greatest chance for success. This also requires that decision-making and implementation occur through a team process with a focus on problem-solving and adaptation. Many reporters and informants either displayed or reported a lack of information with respect to how to implement these collaborative, team and problem-solving techniques. Others simply were unaware of the extent to which these techniques would be necessary in order for inclusion to be implemented successfully.

The fourth informational barrier is a lack of understanding of the decision-making process called for by the current regulatory structure, particularly the requirement that the school thoroughly explore the provision of services based in regular education, with supports and aids where needed, as the starting point in the placement process. Several informants, particularly in non-inclusive schools, believed that inclusion is not legally mandated. Because schools perceive the absence of a legal mandate, many schools are resistant to implement inclusion at their own initiative or are hostile to the efforts of parents to obtain it. At the same time, many informants reported that the decision-making process frequently starts out with self-contained classrooms as the least restrictive environment, with discussion focusing only on more restrictive settings. Although inclusion is not itself specifically identified in state and federal law, there was considerable evidence that many schools do not understand their obligation to consider regular education as the base for services and to thoroughly explore the adaptation and supports which could be provided in regular education, which might allow a child with disabilities to be successfully educated there. One suburban parent of a child who is deaf and blind told us, "At

the age of 2 1/2, the then superintendent wondered if they would be able to find a school in Illinois that my child could attend."

Finally, a number of informants identified concerns with respect to the training that is provided through higher education to new teachers as lacking any meaningful experience with inclusion for both regular and special educators. Similarly, the relative absence of in-service training, particularly consistent in-depth training for those who are already in the field, was also identified. Not surprisingly, where service providers, decision-makers and policy-makers are uninformed about inclusion, it is unrealistic to expect that they will embrace it, as it clearly does reflect a significantly different orientation to the delivery of services to children with disabilities than has historically been utilized. As with anything else, ignorance often leads to prejudice and hostility.

B. Attitudinal Barriers

Attitudinal barriers are, at least to some degree, directly tied to the informational barriers already described. However, attitudinal barriers also bring into play a wide variety of fears, suspicious, political considerations and other issues which affect the perceptions and orientation of both school staff and parents. From the information gathered, the concerns of special and regular educators, while overlapping, were nonetheless distinct in many respects.

1. Special educator resistance

Special educators articulated and were perceived by parents and other educators and administrators to fear a loss of ownership and control over the educational process for children with disabilities. A special education teacher who is also the parent of a child with a disability from the Springfield focus group told us, "Special education teachers are notorious for latching onto kids and not letting them out." Another special education teacher at the suburban inclusive school district realized that her students, "could function without me. I had to let them go." This fear reflected both a well intended concern with respect to the outcomes of service delivery for children with disabilities, as an outgrowth of genuine commitment to the children being served, and issues surrounding control which were not related to outcomes. Instead, these control issues appeared to relate to the concept of self of the special educators, their comfort level with what was known versus unknown, and related concerns. A further attitudinal barrier of many special educators related to a fear of the unknown. While some special educators were making efforts to obtain information about inclusion and the role that the special educators might play in an inclusive educational model, many remained uninformed about inclusion other than at the most general level. Many special educators articulated fears which, at an objective level, were clearly based on an absence of information.

Special educators were also fearful that regular educators were not equipped to serve students with disabilities adequately. "Regular education teachers are not trained to each special education student and they have 'old' attitudes," reported a teacher at a Chicago focus group.

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Further concerns articulated by special education administrators and staff revolve around the perceived threat to job security and to their traditional role. The threat to job security stems from a perception that the shift in service delivery from a self-contained model in an established and separate special education bureaucracy to inclusive models in a general education structure would inevitably lead to an elimination of the jobs of the special educators. An adjunct to this fear with respect to job security was a fear that the role of special educators was going to change substantially in ways that would fit within a regular education system, whether they would be incorporated into the regular education system and whether they wanted to serve the role of consultant, as opposed to direct service provider.

A final area of resistance from special educators, as perceived by many parents, was to the higher level of parental involvement which accompanies implementation of inclusive practices. Again, although special education by law requires a higher level of parental involvement than typically exists in general education, special educators were nonetheless perceived by parents to be highly protective of their prerogatives and quite resistant to parent involvement, particularly at a partnership level. Inclusion was perceived as requiring a greater amount of parent involvement, with a concomitant sense that the special educators would lose autonomy and control.

2. Regular educator resistance

Attitudinal barriers were also present among regular education staff to a considerable extent. Regular educators identified or were perceived as having significant fears with respect to their own competency to provide adequate services to children with disabilities. Many expressed a strong sense that children with disabilities required people with specialized training in order for services to be delivered effectively. Regular educators in some instances felt that children with disabilities necessarily required specialized expertise which the regular educators did not possess.

Like special educators, the regular educators were also threatened by a perception that they would lose autonomy through a collaborative or transdisciplinary delivery system and were fearful of having their own teaching style exposed to the scrutiny of other school professionals and parents. Some regular educators identified a concern that historically they were used to functioning in isolation with virtually no involvement with other professionals during the courts of their day to day teaching activities.

Others expressed a belief that they had made a specific choice to not work with children with disabilities and communicated resentment that their decision was now being intruded upon by virtue of the forced placement of children with disabilities in their classrooms. A regular education teacher from a suburban non-inclusive school stated, "Severe children's needs are being met with teachers who are trained and who chose to be with those kids. If I had wanted to teach children with disabilities, I would have gotten my degree in that."

Some parents also perceived that some regular educators were prejudiced against individuals with disabilities in general and against having children with disabilities in their classrooms. A parent from the Rockford focus group explained, "My child plays sick because he doesn't like going into the classroom. The teacher does not include or call on my child." A few educators perceived that any services to children with disabilities necessarily took away services from the regular education students.

"Educators are not risk takers. It's safe to be in the old mode... there is safety in closing the door - it is not safe to work with someone else."

Administrator focus group

Another significant concern of regular educators focused on specific disability categories, rather than on the notion of inclusion *per se*. Regular educators expressed concern with respect to two categories of disability: children with emotional or behavioral problems and children who are medically fragile. Children with these disabilities appear to be especially challenging operationally and in the perception of the regular education staff. These concerns were reported across the board, but were especially prevalent with respect to the Chicago Public Schools.

A final attitudinal barrier identified by parents and one administrator with respect to regular educators parallels a concern voiced by special educators. This was a perceived resistance by some school staff to a greater level of parent involvement in the educational process and a perception that there would be a variety of adverse consequences to having to deal with parents on an active and consistent basis.

3. Administrative staff resistance

Concerns of regular education and special education staff were widespread and diverse. Administrators articulated many of the same concerns but had some additional concerns as well. The biggest concern identified by administrators was the perception that inclusion would inevitably lead to substantial increased expenditures to support children with disabilities in regular education.[15] These expenditures were believed to be disproportionate both as they related to individual children and when those expenses multiplied for all children with disabilities within the system. An additional concern expressed by a Vermont administrator was that the costs associated with supporting children with disabilities in inclusive settings were more observable than those incurred by school districts when children with disabilities were served in segregated settings, particularly in settings outside of regular school all together.

Many administrators expressed the view that they were caught in the middle, given a mandate to provide a variety of services, but not being provided adequate financial support from

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[15]An informant from the rural noninclusive site stated, "What is going to be left for the rest of the 90% of the students?...You will spend far too much money for the results you will get."

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the state to support the delivery of these services. Both regular and special education administrators were critical of the State Board of Education pattern of requiring services without providing financial support. One administrator in an inclusive school said, "While inclusion is beneficial to children educationally, financial obligations of the state do not allow programs to grow."

In addition, administrators were fearful about resistance from staff, particularly regular education staff and opposition from the regular education parent community. One administrator expressed particular concern about possible resistance from the teachers' union and emphasized the need to include the teachers' union in the process. This was emphasized as an element of the success of Vermont's effort to promote inclusion. Some administrators expressed a need for inclusion to be implemented gradually, with the ability to pick and choose teachers carefully in order to avoid those who were most aggressive in their opposition to having children with disabilities in their classrooms.[16]

4. Overall staff concerns

Many school staff, whatever their view of inclusion, expressed fear that adequate supports would not be provided. This fear produced skepticism about the viability of inclusion.

A suburban non-inclusive special education teacher commented:

> "I find it hard to believe that support is going to happen. Some of my kids might not be behavior problems in the regular class, but would just sit there and learn nothing without adaptive curriculum."

In addition to these concerns, school staff and administrators expressed concerns about several distinct "turf issues" surrounding their own bureaucratic structures. One identified turf problem was the battle between special and regular educators. Both the special and regular education communities perceived that these bureaucracies operated independently, with each being resistant to sharing its turf with the other. A Rockford focus group participant expressed her experience that the, "special education teacher has had ownership and possession with no training in consulting skills. The regular education teacher says, 'I don't know what to do.' The two are not working together." Ironically, both special and regular educators identified the unwillingness of special educators to give up their turf as being an especially significant problem. Further, special educators identified concern about how they would fit in within the regular education structure once services were decentralized to the local schools.

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[16]One administrator at an inclusive school said, "We just got through a year of subversive activity. A teacher was given a multiply handicapped child [and because of the teacher's inability to work with the child, the teacher was dismissed]. You have to be firm. We're talking about civil rights, a student's equal opportunity."

A related concern had to do with the respective roles of local school districts and the special education cooperatives. A number of informants suggested that the special education co-ops had a vested interest in maintaining their own identity and existence. Inclusion was perceived to be a threat to the viability of the cooperative structure as local school districts were increasingly seen as taking back services which had previously been delivered by the co-op. Co-op staff was further perc2eived to be isolated from the regular education community in the local schools where they worked and to have confused loyalties and responsibilities. Special education co-op staff had uncertainty as to whom they reported to and who was responsible for their activities. Similarly, regular educators expressed uncertainty about whether they or the special educators would be "responsible for" children with disabilities who were returned to regular education in the neighborhood school.

5. Concerns of parents of children with disabilities

Just as regular and special educators had different concerns about inclusion, so too the concerns expressed by parents of children with disabilities and those without disabilities also were somewhat different. Parents of children with disabilities expressed a wide range of concerns with respect to the consequences of inclusion. A frequently articulated concern was that inclusion would result in a loss of services, procedural safeguards and supports for children with disabilities. The perception was that funding for special education would be lumped together with funding for general education, with current special education funds dissipated to provide for the general operations of the school system. Also, fears were expressed that inclusion represented a movement towards deregulation that would result in an elimination of procedural safeguards which offer important protections to the rights of children with disabilities. Many parents of children with disabilities expressed the fear that school districts are paying lip service to inclusion, without providing adequate support. The concern is that children with disabilities would be placed in regular education, but would not be provided with the adequate supports and common sense accommodations necessary for their participation to be successful. Thus, inclusion would result in a reduction in costs for the school districts, with an attendant reduction in quality of services for children with disabilities.

"I can never let my guard down. To a degree, I resent that." (From a parent who recently found out her child had been eating lunch alone all school year).

Parent - Springfield focus group

Independent of the fears surrounding whether school districts would fulfill their obligations to provide appropriate services, several parents of children with disabilities articulated the fear that inclusive education was simply not a desirable setting for many children. These parents also articulated the fear that children with disabilities would be singled out by regular education students for scape-goating, teasing or other forms of mental or physical abuse and that children with disabilities would experience less success in the regular education environment which would result in significant negative effects on self esteem. In addition,

parents of children with disabilities were quite concerned about the possibility that inclusion would result in a loss of individualized educational programming.

Some parents of children with disabilities perceived that the IEP would not be carried over to the regular education environment either on paper or in reality. One Chicago parent notes, "On paper, it looks good. In reality, it is not carried out." Others perceived that while IEPs were applicable to the regular education environment, the tendency of regular educators would be to treat the children with disabilities in the same way that all the other children were being treated, with the result that the education was not being individualized. A parent from the Springfield focus group said, "I always go in with a list of adaptations. But the teacher says, I give 100 addition facts in five minutes - that's what every other child has to do."

Finally, distinct subgroups of parents had concerns that were specific to the disabilities of their children. The U.S. Commission on the Education of the Deaf reported in 1988 that it was felt to be undesirable for children who were deaf to be placed in the regular education environment because it would result in a loss of attachment to and membership in the deaf culture. This reflects the view of some in the deaf community that it is preferable to develop a positive identity and sense of community within the deaf world, even if it means less involvement with the broader community. Those asserting this view saw inclusion for children who are deaf as being dumped in the regular education environment, with limited ability to communicate and interact with the community at large.[17] Several parents of children with significant emotional and behavioral difficulties or of children who were medically fragile also had a heightened concern that appropriate supports were not available and/or would not be delivered in the regular classroom environment.

As with the professional community, many of the fears and prejudices of parents of children with disabilities were based on a lack of information rather than on actual experience. At the same time, many of the fears articulated by parents of children with disabilities stemmed from a well-founded fear that inclusion could be an excuse for children to be dumped.[18]

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[17]See, "Towards Equality: Education of the Deaf," A Report to the President and the Congress of the United States, The Commission on Education of the Deaf, pp. 25-27 (1988).

[18]"Dumping" involves the concern that individuals with disabilities are shifted from a restrictive environment to a community environment, ostensibly to promote autonomy and self-sufficiency, without adequate support being provided in the less restrictive environment. This problem characterized the transfer of many adults with mental and physical disabilities from institutions to the community as an outgrowth of the "deinstitutionalization" movement in the sixties and seventies.

6. Concerns of parents of children without disabilities

Again, as with the staff, parents of children who do not have disabilities were believed to have several concerns distinct from those of parents of children with disabilities.[19] These concerns seem to fall in two categories. The first reflects the presence of blatant prejudice and groundless fears. These prejudices and fears manifested themselves both with respect to the discomfort of people without disabilities in being around and knowing how to interact with people with disabilities and fears that children with disabilities were dangerous, unhealthy or in other ways likely to cause injury to the regular education students. Obviously, these fears reflect the prejudices that are present at a broader level within our society. These prejudices must be addressed directly, both by the schools and by the society at large.

The second reported concern of parents of children without disabilities was whether inclusion would adversely affect the educational process for regular education students. These fears, which paralleled the fears of parents of children with disabilities, surrounded the extent to which children with disabilities could be accommodated within the regular educational environment without either drawing away from the availability of services to the regular education students or creating disruptions in the delivery of the overall instruction. These fears are legitimate and well-founded, as they relate to the degree to which the school district is prepared to provide adequate and appropriate support to serve the children with disabilities within the regular education environment.

In sum, a wide variety of attitudinal barriers operate to preclude implementation of inclusive practices at local schools. Some of these attitudinal barriers arise from ignorance and prejudice, while others stem from genuine and well-founded concerns about how inclusion will be delivered in the real world. These concerns speak less to the philosophy or theory of inclusion, but rather to whether school districts will in fact provide the leadership, resources and support necessary for inclusion to be implemented appropriately.

C. Instructional/Technological Barriers

Barriers also arise in our ability to serve particular groups of children with disabilities from shortcomings in our preparation of teachers to serve all children with disabilities. As well, there are increasing technological innovations which assist children with disabilities in benefitting from their education, many of which are not yet widely utilized. These are relevant to inclusion because some of these new technologies make participation by children with disabilities in regular education settings easier by minimizing or eliminating various barriers to participation which would otherwise be present.

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[19]Few parents of children without disabilities participated in this study. These findings are primarily based on the experiences of staff and parents of children with disabilities reporting their experiences with parents of children without disabilities.

1. Inadequate higher education training for inclusion

A number of sources identified limitations in current higher education training for entry level teachers and related service providers as barriers to inclusion. These limitations include the failure of most higher education programs to incorporate training about children with disabilities for general educators and training about children with disabilities in regular education for special educators.

This tendency has been confirmed by ISBE itself. ISBE Assistant Superintendent Lieberman noted in 1992:

> "College and university teacher training programs continue to prepare teachers under the dual system (special and regular education) and do not incorporate such promising practices as full inclusion, integration, integrated therapy models, functional curricula, community-referenced instruction, collaborative teaching, cooperative learning, etc."

Lieberman, "Inclusion in Illinois: Past, Present and Future," ICASE Conference, September 19, 1992.

Current higher education programs are generally also inadequate in their preparation of related services personnel, such as psychologists, speech therapists, occupational therapists and physical therapists. These programs have typically not addressed the different approaches to evaluation and recommendations which our informants suggested are necessary to make the case study evaluation process more meaningful and supportive of the inclusion of children with disabilities in regular education. Few of the preparatory programs for related services professionals focus upon training methods for providing direct service to enable children with disabilities to function effectively in the regular education environment.

2. Inadequate inservice training

These shortcomings are compounded by the relative absence of meaningful or consistent in-service training at the school district level for general and special educators and related services personnel. Relatively little training is currently being provided, according to several of those who participated in the study, on methods to adapt curriculum and instruction to serve children with disabilities in regular education or to

"I know all faculties are not ready. There is literally <u>nothing</u> being done to inservice teachers who know nothing about this in some districts."

Parent of child with disabilities and teacher

engage in active and ongoing collaborative teaching.[20] There is relatively little training on positive interventions to promote the interaction of children with disabilities with their regular education peers or on behavioral management strategies to address disruptive behaviors presented by children with disabilities within the regular education environment.

3. Insufficient use of adaptive technology

Some school districts continue to resist incorporating the use of adaptive technology to serve the needs of children with disabilities. Although federal regulations were recently amended to require explicitly that school districts provide adaptive technology when it is necessary for children to benefit from their education,[21] some school districts are still not incorporating this technology either due to cost or because they do not fully understand how to use it. Many of the technological devices now available serve to make it easier for children with disabilities to participate in regular education and to do so with less support. These technologies include a variety of systems to assist children with limited cognitive, motoric or communication skills to utilize more effectively the strengths that they have and to develop new skills. Examples include the use of computers for children whose fine motor skills prevent them for manual writing, the use of computers for communication by children who are non-verbal and the use of audiotapes for children who cannot read or who have problems with note taking. Each of these examples illustrates circumstances in which a child with a disability would have presented greater challenges with respect to adaptation of curriculum and participation in the activities of a regular classroom but for the availability of this technology. Despite this, there was data suggesting that some school districts were resistant to purchasing and utilizing these assistive technologies for children with disabilities.

4. Some disabilities are particularly challenging for educators.

Educators perceive that some types of disabilities pose special problems for inclusion. Children perceived to have these particularly challenging disabilities include children who are severely emotionally disturbed or have serious behavioral disorders, children identified as having autism who present with severe behavioral challenges and/or significant communication limitations, children who are perceived to be severely and profoundly disabled, have multiple serious disabilities or are regarded as being medically fragile. Inclusion of children identified with these disabilities has been met with particularly great resistance from those opposed to

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[20]A special education teacher at the rural inclusive school said, "I have minimal consultation with my supervisor at the co-op. They pay me. I have high qualifications so they leave me on my own a lot and I need some guidance. There's not a lot of assistance out there. I need time to meet with other professionals in the same position, share ideas and suggestions....I want collaboration with similar professionals and workshops from people who do inclusive education. I run out of ideas sometimes."

[21]34 C.F.R. §300.308.

inclusion. Even those who are generally highly supportive of inclusion frequently expressed concern about the relative inability to serve effectively some children with these disabilities within regular education. Some sources suggested that there are effective strategies for working with and including each of these populations through inclusive programs. They indicated, however, that programs providing services to children with disabilities in inclusive settings were far more limited, that information about these programs was not widely disseminated and that these programs tended to be more resource intensive than other inclusive programming. Other informants who expressed concern about children with these disabilities were simply unaware of the existence of such program and/or doubted that such programs could adequately serve the needs of these children while also addressing the concerns of school districts relative to costs and disruption of the educational environment.

5. The current evaluation process tends to promote separation

Finally, both educators and parents say the whole system of evaluating children with disabilities appears to operate as a barrier to inclusion. This occurs for several reasons. First, as previously identified, the current evaluation and identification process is deficit-based. This requires evaluation personnel to focus their attention on what a child cannot do in order to determine whether the child is eligible for special education services and to focus attention on those areas of deficit. Unfortunately, by virtue of focusing on each child's deficits, rather than strengths, the system as a whole tends to become oriented to the negative, that is, preoccupied with what a child cannot do. Since inclusion is still relatively unknown and creates concern with many educators, the relative lack of focus on what a child can do creates an inordinate negative emphasis in the entire planning and decision-making process. Moreover, based on the author's personal experience, current testing procedures tend to focus heavily on the use of a few standardized test instruments, and give relatively little attention to the functional behavior of the child. As a result, there is a further tendency to diminish what each child can do and instead to assume and generalize their areas of deficit. Further, it is the author's experience that because diagnostic personnel often have even less awareness of the options available through inclusive education and are schooled in a model which often presumes the child will be served in a self-contained setting, the recommendations of these diagnostic personnel tend to support more restrictive settings imply because this is what they are familiar with, rather than because they are affirmatively choosing the more restrictive setting on the basis of the child's individual needs. ISBE has recognized this issue as well:

> "Many districts continue to place students on the basis of their disability category, rather than on the basis of individual needs, and never consider the option of home schools and classes for some categories of disabilities. The rules as they are written now, having been generally written in the 1970's, speak to special education as a place, not a package of services delivered where the child needs to be."

Lieberman, ICASE presentation, supra.

These barriers, along with the informational and attitudinal barriers previously addressed, all require strong leadership at the school, district and state level in order to be overcome. It follows, then, that the next identified barrier to be addressed is the absence of leadership.

D. Leadership Barriers

A wide variety of sources identified insufficient leadership at the state level, the district level and the local school level as a significant impediment to the implementation of inclusion in local schools. In addition, many people identified insufficient leadership within the parent/advocacy community as contributing to the difficulty of implementing inclusion at the local school level.

1. ISBE must exercise greater leadership

The need for more clear cut leadership from the Illinois State Board of Education is evidenced by the failure of ISBE to adopt a position statement in support of inclusion despite months of continuing effort to secure such a statement. Many reporters indicated their incredulity given that the position statement does little more than restate existing state and federal law. Staff at the suburban inclusive school district felt there was a need for ISBE to adopt an inclusive policy to demonstrate that inclusion is not an aberration and take away any hope of changing back to a non-inclusive system.

At the January 20, 1994 meeting of the State Board, Chairperson Michael Skarr reported that the proposed inclusion statement was withdrawn because Board members and others clearly needed more information on the issue. Mr. Skarr presented the Board with a special information initiative designed to provide Board members, teachers, and others with the information they need to understand this issue and, in the case of the Board, take action on a position statement. This initiative was developed through discussions among Superintendent Leininger, and ISBE Board members and staff. While there are no specific timelines for this initiative, the general plan included strategies for gathering and disseminating information on inclusive practices, collaboration with the teachers' unions and for responding to concerns about dumping.

A variety of informants also complained that the ISBE needs to provide greater financial support for school districts attempting to develop inclusive programs. Such support is currently limited to nominal and time-limited funding through Project Early CHOICES/Project CHOICES in the form of small grants to support start-up preparations to implement inclusion.

The ISBE continues to operate a financial structure in accordance with state law which creates significant disincentives to serving children with severe disabilities in regular education settings. While ISBE has secured modest changes in the reimbursement scheme, overall it still largely supports the most restrictive settings in a disproportionate way. (See Section III-G). Participants in the Administrative focus group all agreed that basing the flow of dollars on placement was a barrier to inclusion.

An ISBE initiative, reflecting its recognition of these problems, is the Financial Stakeholders Task Force which consists of a group of thirty-four individuals representing thirty associations. The three-fold purpose of this group is to develop a funding formula that simplifies the funding process, is equitable for students and local school districts, and supports the Least Restrictive Environment. This advisory group to the Department was scheduled to report its findings to the State Board in Spring, 1994, too late for direct incorporation into this report. (See Section III-G).

At the same time, the ISBE needs to clarify regulatory impediments to inclusion and to make existing resources more accessible. For example, several individuals noted difficulty in waiving certification requirements in order to implement programming for a particular child in a particular setting. Further, informants commented upon the perceived absence of monitoring of local school districts by ISBE with respect to the extent to which they were either attempting to implement inclusive practices or, at a minimum, strictly complying with the requirements for least restrictive environment in both their decision-making process and in the placements ultimately implemented.

One ISBE initiative to address concerns regarding barriers to inclusion has been the rules revision process, using the Removal of Barriers Sounding Board. This advisory body has been plagued with controversy, having an uncertain mission and a vague mandate. Several reporters indicated suspicion about hidden agendas which were driving this process and some complained that this task force was a stalking horse for deregulation, rather than a vehicle for addressing inclusion in a positive manner. Indeed, one commentator, who recently expressed his criticism of the barriers sounding board, concluded that it no longer served any useful function and should be disbanded because it lacked any credibility whatsoever. See Weber, M., "The Barriers Study: Time to Abandon Ship," Illinois CEC Quarterly, Vol. 42, No. 1, pp. 49-50 (Winter, 1993).

In addition to needing to exercise leadership at the state level with respect to the public schools, the ISBE also needs to exercise greater leadership with the legislature and with other state agencies. While the ISBE cannot be blamed for the legislature's failure to provide adequate funding to education, let alone special education, many informants indicated dissatisfaction with the efforts of ISBE to make a higher level of funding for all education, and particularly special education, a legislative priority. Further, the State Board must take additional steps to eliminate existing financial disincentives to implementation of inclusive practices and to create significant and easily available financial incentives to promote inclusive practices.

The State Board of Education also needs to address the role of the special education cooperatives, which were created with the imprimatur of legislative approval in 1965, and which create in turn significant barriers to local schools taking responsibility for children with disabilities residing in their school districts. ISBE has itself recognized the negative impact of the special education bureaucracy in Illinois, as reflected in comments of Assistant Superintendent Lieberman:

> We have done a good job of creating two separate systems-special education and general education. That follows the system envisioned in the 1960s with the special education mandate, but is not what is seen today as appropriate for all students.

ICASE presentation, supra.

Further, the State Board of Education has manifested insufficient leadership in its inability to carry out its federally mandated responsibility for insuring appropriate and meaningful interagency cooperation among the various state code agencies.[22] Finally, ISBE has failed to take steps to fulfill its obligation to ensure that other state agencies and local schools carry out the obligation to provide a free appropriate public education in the least restrictive environment as required by federal regulations (34 C.F.R. §300.600).[23] A number of informants raised concerns about the inability to obtain coordinated support from the various state agencies in a manner which would facilitate the ability of parents to meet the needs of their children in the local school, including access to respite care, vocational services, counseling services and a variety of other services which are ostensibly available from the other state agencies and their local provider networks.

2. There is a paucity of support for inclusion within the school district leadership

Just as there is a lack of leadership at the State Board of Education, there is also a paucity of leadership at the school district level in many districts according to those participating in the study who addressed that issue. The failure of district leadership is manifested by the absence of school district policies which support the right of children with disabilities to be served in regular education at their neighborhood school. A policy or mission statement recognizing the importance of participation by all students in all aspects of school life was identified by Lieberman as an indicator of quality practices. See Lieberman, ICASE presentation, supra, at 19. This absence of leadership is also manifested through the unwillingness of district administration and boards to commit district resources to provide some of the supplementary aids and services which are necessary in order to make inclusion a viable option for children with disabilities. Further, the ongoing willingness of district administrators

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[22]In fact, this has been a subject of litigation in Illinois. See Joshua B. v. New Trier Township High School Dist. 203, 770 F. Supp. 431 (N.D. Ill., 1991) and Board of Education of Crete-Monee School District 201 v. ISBE, #94 C 992 - pending (N.D. Ill.)

[23]ISBE's failure to adequately insure inclusive options is a focal point of a class action currently pending against ISBE and the Chicago Public Schools, Corey H. v. Board of Education of City of Chicago and ISBE, No. 92 C 3409, in the United States District Court in Chicago. In addition, ISBE was recently found to be in non-compliance with respect to its monitoring and enforcement efforts, in part relating to Least Restrictive Environment Issues, by the U.S. Department of Education, Office for Civil Rights, Letter of Finding, 12/3/93, 20 IDELR 687.

and boards of education to delegate responsibility for services to children with disabilities to special education co-ops reflects a lack of ownership of those children within the district.

Several sources described a process in which the local school administration disassociates itself from problems relating to services for children with disabilities on the grounds that responsibility has been assigned to the special education cooperative. This ultimately creates a catch-22, as the special education cooperatives were frequently reported to take the position that they could not implement inclusive programming for particular children because they lack control over the local school districts. Thus, many children with disabilities whose parents wish them to be educated in inclusive settings were caught in limbo in which the school district maintained an absence of responsibility and the co-op maintained an absence of control.

Just as we hope that strong leadership in support of inclusion will quickly manifest itself in changing attitudes by school district staff, many indicated that administrative opposition to inclusion also tended to reinforce opposition to inclusion by direct service providers. Board and administration opposition to inclusion and even neutrality about inclusion also reinforces the fears of educators that they will not receive the support from the district for inclusion to be successful. Thus, the leadership issue expresses itself at the district level not only through the active positions taken by administrators and boards disfavoring inclusion, but also by the failure of these entities to articulate affirmatively a position and policies in support of inclusion.

3. Building principals are not sufficiently supportive of inclusion

The domino effect arising from inadequate leadership at the state level and neutral leadership at the district level becomes compounded by inadequate leadership at the school level. Many reporters identified the school principal as a significant figure in determining the orientation of the particular school to serving children with disabilities.[24] For inclusion to be successful, the principal is regarded as an essential actor who must take substantial, consistent public steps to support inclusive practices. Unfortunately, there was considerable evidence that in many schools, such leadership is missing. Very few schools have building policies in support of inclusion of children with disabilities. Independent of the existence or absence of an express policy, many school principals express their position on inclusion through their willingness or refusal to commit personnel, support staff and space to serve the needs of children with disabilities within the regular educational environment.

Equally important, the building principals are the individuals who set the tone of the building with respect to the attitude of teachers toward their students. Where a tone is established that welcomes diversity and requires inclusion, it is more likely that children with disabilities will be welcomed rather than tolerated or excluded. Conversely, many informants

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[24]The significant role of the building principal was highlighted by Assistant Secretary Will in her 1986 REI report. Will, supra, at 15-17. See also Techniques for Including Students With Disabilities, E. John Shensky, Ph.D., pp. 97-119.

commented that where the building principal expresses resistance or even neutrality about inclusion, teachers felt license to make individual decisions about whether to act in a manner supportive of the participation of children with disabilities or to oppose or even sabotage those efforts. A final and significant element of the building principal's role in creating obstacles to the implementation of inclusion is the principal's orientation to the participation of parents within the school community and within the individual classroom. Where the building principal sends the message that parents are unwelcome, school staff are more likely to echo this message and to exclude parents from active participation in the life of the school in general or in the day to day activities of the classroom. Unfortunately, this exclusion is quite common and detracts from the implementation of inclusive practices.

4. Parent leadership is undeveloped and fragmented

Finally, as indicated above, there is insufficient leadership at the state, regional or local level among parents who are seeking to promote inclusion of children with disabilities in regular education. At the state level, literature from various parent groups indicates that advocacy groups are currently split and distrustful of each other with respect to the issue of inclusion. This split, to some degree, parallels the constituencies which have been previously identified as being in favor of and suspicious of the inclusion of children with disabilities. At the moment, there is no umbrella organization which speaks with one voice on behalf of the community working in support of children with disabilities. To the contrary, many of these groups are working at cross purposes, and are focusing on their own agendas, rather than upon areas of common interest and mutual support. There are several statewide pro-inclusion groups which have formed in the last several years to provide support for parents in the form of training, access to educational materials, access to expertise and to advocacy support. These groups include people in Inclusive Communities, the Family Support Network, Partners in Policy Making and the Coalition on School Inclusion. However, these resources appear somewhat concentrated in the Chicago area and tend to focus attention at the state level. Moreover, several informants reported a perception that much more in the way of these resources was necessary in order to address adequately this need.

At the same time, parents seeking to promote change at the local level are often functioning as lone actors with little or no support networks available to assist them in promoting educational or political change within their school systems. While several organizations, as mentioned above, have recently been developed which have begun efforts in this regard, parents expressed a feeling of isolation, as if they were having to take on their schools entirely on their own, a perception which often appeared to be relatively accurate. Parents also expressed the frustration that they had to train and retrain school staff frequently as their child progressed from year to year. Parents also expressed frustration at being put in a position of having to take an adversarial posture with their school districts over things that appeared to be obviously district responsibilities, such as assuring that information is passed on from year to year or that the IEP is disseminated to regular education staff. They further found that they were frequently scapegoated by their school districts for adopting these adversarial positions which tended to further isolate them from their community and alienate them from the educational staff working with their child.

Parents expressed much interest in learning more about how inclusion could be implemented and how they could develop appropriate and effective methods at the local level to exert pressure on their school districts. At the same time, many parents conveyed a sense of reluctant leadership, which they were embracing out of necessity rather than out of desire. Many recognized the validity of the maxim that there is strength in numbers, but felt ill-equipped to go about the task of building coalitions and securing support from others.

Given the relative shortcomings of leadership at virtually all levels within the state, it is apparent that leadership is necessary at the state and local level and that additional mechanisms must be created to provide support for parents in order that they may develop their own leadership structures.

E. Accessibility Barriers

The assessment of physical accessibility as a barrier to inclusion is limited to the anecdotal reporting from informants in this study. Based on this anecdotal information, however, it seems apparent that there are problems with physical access to school facilities which operate as impediments to inclusion of children with physical disabilities in their neighborhood schools. Some school buildings were reported to be totally inaccessible for children with mobility impairments. Other school buildings were identified as being partially accessible, but still have significant barriers to some important facilities within the school. School districts were reported to have varied responses to these physical barriers. Some districts totally exclude the child with the disability or contain the child with the disability in a more physically accessible setting, whether in a part of the neighborhood school or in another school. A parent from the Rockford focus group who has a child with a physical disability says the attitude of her local school district regarding accessibility is, "Take us to court." Other districts have undertaken efforts to remove these physical barriers.

Further study of the extent to which physical accessibility stands as a barrier to inclusion may be appropriate in the future. It is apparent, however, that physical access remains as a significant barrier to participation of some children with disabilities at their neighborhood schools at the current time.

F. Organizational Barriers

Several distinct organizational features of the special education system in Illinois create major barriers to inclusion.

1. The departmentalization of special education inhibits inclusion

The first of these organizational barriers is the high degree of departmentalization of special education distinct from regular education within the schools. Many special educators, regular educators and parents identified the separation of the special education service delivery

system as being a key factor in maintaining segregated services for children with disabilities. A suburban special education teacher noted:

> "The attitude here between regular and special education teachers is very separatist. Regular education teachers do not want to try and certainly do not seem to want to be with our kids. I don't want to lose my kids so there is fear of losing kids by special education teachers and fear of getting these kids by regular education teachers. Special education teachers are more flexible and can deal with anything. Regular education teachers are more rigid and not capable of dealing [with them] and don't want to deal with it."

Among the negative results which arise from this departmentalization are a significant degree of isolation of special education staff from regular educators, a reduced degree of ownership and responsibility by regular education staff for children with disabilities and a heightened sense of distrust between special educators and regular educators. The separation of special and regular educators reduces the experience of collaboration with one another and minimizes the motivation of both groups to develop collaborative or team efforts.[25]

This is particularly debilitating with respect to the implementation of inclusive practices, as such collaboration is the key to successful inclusive activities. In addition to these effects, the departmentalization of special education also produces parallel supervisory structures in

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[25] These problems were recognized by Secretary Will in 1986 as among the most significant barriers to participation of children with disabilities in regular education when she wrote:

> The separate administrative arrangements for special programs contribute to a lack coordination, raise questions about leadership, cloud areas of responsibility, and obscure lines of accountability within school. Most school administrators take the view that responsibility for students with learning problems belongs to special education or other special programs. These programs are usually the responsibility of the central office of the school district, but are delivered at the building level. This means that building principals do not develop ownership of the programs' educational goals. Nor are building principals always authorized or disposed to ensure the consistent high quality of special programs. As a result principals may not be able to use their influence to set the high expectations and standards for students with learning problems nor encourage teachers to "go the extra mile" for these children. Hence the impact of these programs is lessened. The problem at the building level is further compounded by special program teachers working independently with students either in small groups or individually in resource rooms. This isolation minimizes communication between special teachers and regular classroom teachers, resulting in a lack of coordination between ongoing classroom instruction and the specially designed remedial instruction. The result is that the remedial instruction does not complement or help the child with the curricula which he or she must master in the regular class.

Will, supra, at 8-9. See also, Lieberman, ICASE presentation, supra, at 16.

which the special education staff typically are not accountable to the regular education principal. Conversely, the regular education direct service providers are not accountable to the special education consultants and supervisors. The result is that no one has clear overall responsibility for services for children with disabilities, particularly those in regular education. Further, accountability among the separate staffs is reduced by virtue of the lack of a unified hierarchy. In addition, there is a reduced sense of identification on the part of the special education staff with the local school, as the special education staff are often not fully welcomed and not perceived as fully belonging to the local school professional community.

2. The special education cooperatives tend to promote separation

A second organizational barrier is the over-dependence of the local schools on the special education cooperatives, particularly for children identified as having severe disabilities or especially challenging behaviors. While the cooperative structure was well-intended both for purposes of improving the quality of service delivery and creating economies of scale, it currently serves as a major barrier to the implementation of inclusive programming in some instances. Among the adverse consequences of the joint cooperative structure are that it centralizes expertise, with a resulting dilution in available expertise at the local school level. Assistant Superintendent Lieberman has raised a related concern: "Many districts interpret 'continuum of services' to mean that they absolutely must have separate special education facilities or other more restrictive placements in operation. Those options have to be available and be there for consideration as necessary but not necessarily used when it is not appropriate for a given child during a given year." ICASE presentation, supra, at 17. This relates to the overuse of cooperatives, as districts are often unable to maintain a range of self-contained settings on their own. Further, by virtue of centralizing expertise, there is perceived to be a reduced need for training, collaboration and teamwork of special and regular educators at the local school level.

Another consequence of the cooperative structure is that it makes it easier for schools to pass responsibility elsewhere when problems come up with children with particularly challenging disabilities. By moving the child to another setting under the control of another entity, the "see no evil, speak no evil, hear no evil" syndrome is created in which the local school no longer has to worry about the child with the disability. In the short run, this is perceived to reduce disruption, reduce teacher's stress and eliminate conflict with parents. At the same time, it reduces the necessity for the local school to figure out how to address the problem locally.

> **"Our school district takes no ownership. The kids are referred to the co-op."**
>
> **Parent - Springfield focus group**

Another complication created by the co-ops is that even those cooperative staff who are based in the regular schools have confused roles and conflicting loyalties. While their professional peer group on a day-to-day basis may be located in the neighborhood school, they

are not officially part of the neighborhood school structure. Instead, they are in a quasi-visitor status in which they are present, but not fully accepted as members of the school community. Their authority to effect changes within the local school is often ambiguous and their accountability to the local school hierarchy is often confused. This makes it considerably harder for the co-op staff to develop workable team or collaborative efforts, to solve problems effectively and to advocate for the needs of the individual children who they serve within the local school.

To the extent that the cooperative bureaucracy perceives (incorrectly) that the continuing viability of the cooperative structure is contingent upon the ongoing operation of a substantial number of self-contained or segregated programs, a significant political pressure group is created which pushes for sustaining an orientation to services in more restrictive settings. At some level, a conflict of interest is created in which the decisions of the cooperative staff with respect to placement options for children with disabilities are in conflict with their perceived organizational self-interest in maintaining the viability of the cooperative structure. While this is, in fact, a red herring, as some co-ops have successfully reconstituted themselves along different organizational models, it is nonetheless the case that some of the cooperatives are perceived as having and perceive themselves as having a significant vested interest in sustaining the status quo.

Yet another problem with the cooperative structure is that it reduces the ease with which the local school district can either change policy or make child specific decisions that represent a deviation from prior policy or practice. To the extent that such decision-making entails the negotiation between two separate bureaucracies, such decisions are necessarily more complicated than they would be if entirely under the control of the local school district. All of these factors in combination lead to an inappropriate and counter-productive shift in ownership of responsibility with respect to the children with disabilities away from the local school district and toward the special education cooperative. In fact, a number of people reported a perception that children with disabilities did not belong to the local school district, but rather <u>were</u> the responsibility of the cooperative, even though this flies in the face of the legal responsibilities of the local school district.

3. The absence of any meaningful interagency cooperation is a barrier to inclusion

A final organizational barrier to inclusion is the absence of any meaningful interagency cooperation between the educational agencies and other agencies at both the state and local level.[26] Rather than reflecting meaningful coordination at either level, the current situation in

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[26]The absence of interagency cooperation has been chronicled in other studies in great detail. See, for example, "The Mental Health System Reform Plan for Illinois," Illinois Department of Mental Health and Developmental Disabilities, 1993. No interagency structure exists at the state level which has the authority to override individual agency decisions.

Illinois reflects that the school districts tend to be in a competitive or adversarial posture with local agencies and the State Board of Education is in a competitive or adversarial posture with other state agencies. Parents reported having to deal with multiple agencies with overlapping but uncertain responsibilities and little or no coordination. A review of state structures revealed inadequate coordination at the state level. In fact, considerable overlap of responsibility exists among ISBE, Department of Mental Health and Developmental Disabilities and Department of Children and Family Services, which often leads to confusion. This competitive or adversarial status arises from a failure to delineate clearly respective responsibilities or to create arrangements which produce mutual benefit in improving the coordination of services and reducing the tendency of each agency to seek to deflect services to other available providers. These barriers are structural in nature and will only be addressed by major changes in the way that the service delivery system is organized within special education, within regular education and between the educational providers and other providers of services to children.

G. Financial Barriers

The most obvious financial barrier to implementation of successful inclusive practices in local schools is the growing inadequacy of funding for education in general. Concerns about adequate funding were raised by a number of administrators, staff and parents.

It is unclear whether inclusion on a systemic basis over time will be more expensive than the current special education delivery model. There are some indicators that as the service delivery system shifts from the self-contained model in segregated settings to a more community based model, some of the initial expense of inclusion will be mitigated.

It is predictable if not inevitable, however, that in the short run there will be some additional costs of inclusion for some children. Further, independent of the actual costs of inclusion on a case-by-case basis, it is likely that school districts will perceive inclusion to represent an additional financial commitment in a period of scarce resources. Also, given that expensive services to children with disabilities are being shifted from invisible segregated settings apart from the local schools and relocated very visibly within the local schools, it is clear that regular education administrators are fearful that it will be politically difficult for them to allocate scarce resources to children with disabilities to support inclusive education. Thus, the decreasing availability of adequate resources to support education in general creates both real and perceived barriers to implementation of inclusion at a systemic level and for individual children. Further, as class sizes go up and additional resources and supports for regular education go down, it also becomes increasingly difficult for regular educators to accommodate children with disabilities without additional support. Thus, a paradoxical situation is created in which the financial pressures on regular education create a need for additional supports to

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concerning children with disabilities. Although the Community and Residential Services Authority provides a vehicle for resolving interagency disputes, its ability to mandate individual agency responsibility is limited.

make inclusion workable, which create additional financial demands to implement inclusion in ways that have adverse political consequences.

Even given more available financial resources for education in general, there are significant financial barriers to inclusion in the current state financial structure. Several barriers are created by the current state funding system. One identified barrier is the state's funding of private residential placement. The state's virtual total subsidy of these placements creates a situation in which it is less expensive for school districts to place a child in a private residential facility than to create support services that may allow the child to remain at home or in a community based setting. Assistant Superintendent Lieberman confirms the impact of this disincentive on school decision-making with respect to children with severe disabilities.

> "Fifty percent of Illinois' share of IDEA Part B discretionary funds are used to pay room and board, which significantly decreases the money available for innovative service delivery. While it works to address one problem, it doesn't help to alleviate other areas needing improvement in Illinois. Spending over $10 million for room and board for 1990-91, as we did, needed to be spent but it did nothing in terms of building capacity (as we are trying to do with the BD/ED Projects now since that is the majority of the youngsters placed residentially). Illinois has generated PL 89-313 funding for children in private placement, state-operated programs like the School for the Deaf and for public school placements under 'extraordinary services.'"

Lieberman, supra, at 15-16.

How "extraordinary services" then works is having funds which are generally tied to placement location (50% or more of the day in a self-contained classroom, separate facility, private day school, etc.), rather than to a level of services. Districts which fully include students lose those additional dollars in a subsequent year, even though students need services for more than 50% of the day to support them in the regular classroom and in other instructional environments.

Further, funding of residential services is available from several different state agencies with parallel bureaucracies and insufficient coordination of services. These agencies collectively spend tens of millions of dollars on residential placements, many of them out of state.[27]

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[27]The excessive, uncoordinated and wasteful spending on residential care has also been documented. See, for example, "The Mental Health System Reform Plan for Illinois," Illinois Department of Mental Health and Developmental Disabilities, March 29, 1993, pp. 2,3,32,34,37,46. See also, The Financial Disincentives to Educating Children and Youth with Moderate to Severe and Multiple Developmental Disabilities in Their Home School (1993) (sponsored by the IPCDD). It is not the intent of this study to duplicate this prior research, but only to note these funding issues as barriers.

A second funding distortion arising from the state funding system relates to state subsidy of transportation expenses. This means that there is relatively little funding consequence for school districts in making a decision to send children substantial distances to schools outside of their neighborhoods.

"Society is not 'family friendly.' My child required 24 hour care and we did it for five years. The State would not assist our family to keep our child at home, but they were ready to provide funding to place him residentially."

Parent - Chicago Public Schools focus group

A further concern raised by a number of informants related to the restrictions on use of special education funding. This is an especially sensitive subject, as many parents expressed concerns that the blending of special education funds with regular education funds would lead to a diminution in services for children with disabilities. However, administrators seeking to promote inclusion indicated that restrictions on use of special education funds to pay personnel salaries where the personnel were not exclusively or at least predominantly involved with children with disabilities had the effect of limiting the availability of such personnel to work in collaborative teaching situations in which children with disabilities were based in regular education.

In addition to the presence of substantial financial incentives which promote providing services to children in more restrictive settings, there are relatively few countervailing financial incentives which would assist school districts to serve children in inclusive settings. Apart from Project CHOICES and Early CHOICES pilot funding which is available in small amounts for a very limited period of time to school districts to assist them in creating inclusive programs, there is virtually no targeted funding from the State Board of Education to provide ongoing subsidies to school districts to underwrite the extraordinary costs which might be associated with establishing inclusive practices. In addition, while the State Board of Education has provided some seed money for pilot projects addressing creative or innovative practices which will promote inclusion, there is no source of continuing state funding for these districts. Such innovative practices include wraparound services which provide additional community, school-based and home-based support for children with behavioral or psychological problems, respite care for parents who are having difficulty providing services to children with severe disabilities within their home and in-home or extended school services for children who require a higher level of structure and/or more intensive supports for a greater part of the school day.[28] The

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[28]A recent amendment to the Illinois School Code provides that any leftover funds in the ISBE residential placement budget will be reallocated to fund community based services. However, while this change is welcome, it does not provide either neutralization of the current incentive system nor adequate funding for community based services.

absence of financial support for these services makes it far more difficult for the schools to initiate these services on their own and makes it more likely that the schools will seek service delivery models that they perceive (rightly or wrongly) to have less financial consequence.

Interestingly, study participants reported resistance to inclusion in schools with widely varying financial support from their communities and with divergent resources available within their tax bases. Further, those school districts experiencing financial difficulties reported growing tensions surrounding their ability to sustain the support services which they had developed to make inclusion successful.

The majority of those interviewed stressed the lack of financial resources as the biggest obstacle. "What is going to be left for the rest of the 90% of the students?"

Staff - Rural non-inclusive school

In addition to the various financial barriers which operate at the state level and the need for additional funding for local school districts as a general matter, several other financial barriers operate locally. The first barrier repeatedly identified was the failure of local school districts to make inclusion, or even services to children with disabilities, a funding priority. To the contrary, a variety of informants indicated that their experience in their local schools was that funding for special education was a relatively low priority in which school districts often made decisions based on what they perceived was the minimum level of funding necessary, rather than the funding that would create desired or quality services.

A second concern at the local level was the inefficient utilization and deployment of staff. Even given the availability of a variety of service providers within the local school systems to provide support for the inclusion of children with disabilities, the staff frequently were not being deployed in a way which made them available to support inclusion. Further, because school districts remain committed to providing funding to the special education cooperatives, there was often, in effect, duplication of funding as the school district was paying to maintain the special education superstructure offered by the cooperative, while it was, on a piecemeal basis, going through the process of duplicating some of the services offered by the co-op at the local level. For example, the school district might hire a therapist directly, while some of the funds it was paying to the co-op underwrote the salary of a co-op therapist with the same credentials.

H. Regulatory and Oversight Barriers

Regulatory and oversight barriers involve both problems with existing regulations and areas where additional regulation or state involvement would be desirable but is currently absent. It should be noted at the outset, however, that existing regulations provide the framework for a decision-making process which was intended by Congress to produce outcomes that would entail providing services to most children with disabilities in regular education. These regulations, described in the introductory sections, already delineate a decision-making process

which creates a strong presumption in favor of services to children with disabilities in regular education at the school which they would attend if they did not have disabilities. The problem in Illinois, as well as throughout the country, is not that the regulations are inadequate as they relate to this process. Rather, it is that local schools and the State Board of Education have chosen to ignore or implement selectively these regulations as they relate to programming in the least restrictive environment and the provision of supports and aids.

Given this significant qualifier, there are nonetheless many aspects of the state regulatory and oversight structure which, if modified, would serve either to eliminate existing barriers or to promote affirmatively inclusive practices. An important regulatory barrier to inclusion arising from the state's special education regulations is the requirement that children with disabilities who are based in special education programs, i.e., in special education at least 50% of the school day, must be served by a special education teacher who has certification in the category of disability identified as the child's primary disability. This requirement is perceived to affect implementation of inclusion adversely in several ways. First, this provision is frequently misunderstood and used to preclude children with disabilities from being educated by regular educators. This misunderstanding does not require a change of regulation, but nonetheless serves as a significant barrier and requires clarification in order to be overcome.

Further, by requiring a direct correspondence between certification of the teacher and category of the child, the ability of schools to deploy staff effectively in order to provide maximal coverage for children with disabilities is inhibited. Much information was received which suggested that the emphasis on categorical disabilities in the certification process narrows the focus of the individual teacher and heightens the orientation to a category specific delivery model. At the same time, concern was raised with respect to the inadequate attention given to teaching intervention strategies to teachers which would be appropriate across a variety of disabilities. Currently, teachers are taught to deal with educational needs specific to particular disabilities. At the same time, little emphasis is placed on strategies that are relevant to barriers or learning styles which may be found in children across categories.

A second area of confusion and difficulty arises from the uncertainty on the part of many special and regular educators as to whether the IEP applies to the activities of the child in regular education. Many appear to have the incorrect perception that the IEP does not apply in regular education settings.

Several informants articulated a belief that ISBE monitoring and enforcement was inadequate. Particular concern was raised with respect to the absence of attention by ISBE to the issue of inclusion and least restrictive environment in the ongoing monitoring process. Further concern was raised by a number of sources indicating that even when ISBE discovers through its monitoring procedures or through the complaints it has received that there are problems with compliance by local school districts, the tendency is to offer technical assistance

and to avoid holding the school district accountable for past or current procedural transgressions.[29]

A further concern was that the very nature of the separate regulatory structure for special education itself promoted separateness from the regular education system. By virtue of having vastly different and more extensive procedural obligations, credentialing obligations and regulation of such issues as class size, the special education system is structurally separate, creating additional difficulty in promoting inclusion of children with disabilities into the regular education environment. At the same time, some parents said they wanted new inclusion laws and wanted existing laws enforced.

I. Legal Barriers

A number of barriers arise from the laws relating to special education and/or misconceptions about these legal issues by school administrators. As indicated earlier in this report, these concerns arise surrounding the due process procedure.

There was considerable indication that the due process system was perceived as being inadequate and counterproductive in providing meaningful recourse for parents seeking inclusive educational opportunities for their children. The due process system was faulted for taking too long and for producing results which were perceived to be generally in favor of the school district. This perception is borne out by our data based on our review of 421 due process decisions from the past four years. The impartiality of the due process hearing procedure was regarded as suspect because the hearing officers were often affiliated with some local schools and received training from ISBE predominantly by lawyers who represent school districts. Over 60% of the current Level I due process hearing officers are present or former employees of local school districts. See Table 4. Our review of recent hearing officer training conducted by ISBE reflects that a disproportionate number of presenters represented school districts or ISBE itself.

Much confusion was expressed by a variety of sources as to what ISBE policy was on a variety of issues and how these policies were articulated. Of further concern was a perception that the Level II administrative review procedure not only served to lengthen the time involved in resolving these disputes, but also did not offer a meaningful or greater opportunity for parents to resolve their disputes when compared with the opportunities available through Level I. A recent study of the Level II system confirmed that it strongly favors school districts. This study found that schools prevailed in 55% of the 31 cases studied at Level I. Of those cases that were

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[29]This concern has been previously confirmed by the Office of Special Education Programs of the U.S. Department of Education in its "OSEP Compliance Monitoring Report: 1989 Review of Illinois State Board of Education," pp. 25,35. See also OCR Letter of Finding, 20 IDELR 687, 698 (12/3/93), relating to monitoring of children with disabilities who are tuitioned out to private special education facilities.

appealed to Level II, the school district prevailed in 71% of the cases. Menacker, "The Due Weight Standard for Special Education Hearing Appeals," 73 Ed. Law Rep. 11, 15 (5/7/92).

J. Operational/Implementation Barriers

Available data overwhelmingly suggests that there are significant problems in the IEP process with the adequacy of support to school staff and to children with disabilities within regular education and in availability of staff who are competent to provide appropriate services. Independent of barriers previously identified, each of these issues presents a significant problem in the actual implementation of appropriate inclusive educational opportunities for children with disabilities.

There was dissatisfaction with the multidisciplinary conference and IEP process as it relates to decision-making for children with disabilities and as it specifically effects the development of inclusive programs for these children. Because the IEP process becomes a focal point for struggles over where and how the child should be educated, problems with the process greatly effect decisions about inclusion.

Parents consistently expressed feelings of being overwhelmed, intimidated, depreciated and excluded by school staff during the staffing process.[30] One parent in the Rockford focus group contrasted her experience with regular and special education based services: "In self contained, there was an attitude of 'me against all of them.' It was not a good experience - too formal, defensive, and stressful. Now, at the inclusion staffing, there's popcorn on the table! We're a team."

Parents participating in the study, as well as many others who have had individual discussions with the author, were threatened by the number of school staff present, generally unfamiliar with the terminology being utilized and often frustrated by the cursory treatment given to their concerns and limited explanations provided for the educational data being presented by the school district. Parents frequently described experiencing considerable paid in the way that their child was being discussed by school staff. Typically, the discussion was almost exclusively focused on the child's deficits, with little reference to the child's strengths or abilities. Further, the child was frequently discussed in a highly clinical way with little regard to how these discussions would impact the family. Parents also reported feeling rushed and that school staff often abbreviated the meetings before the parents felt that the issues had been fully discussed or that they had been given an opportunity to raise their concerns. Compounding this problem, parents reported that data which was available to the school staff was frequently not made available to the parents until the time of the meeting itself. Further, parents reported that at times information about all options was not presented to them either prior to or at the meeting

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[30]These issues were also addressed above in Section IV C. Because of their importance relative to parent-school relations, they are reiterated here to some degree.

and that less restrictive options or supports and aids were frequently not discussed.

Parents also expressed the feeling that goals and objectives were often developed by school staff before the meeting, that the parents did not have meaningful input into the goals and objectives and that the goals and objectives were not meaningful or relevant for their child. Further they indicated concerns that the goals and objectives were frequently unmeasurable and/or are not measured with respect to the child's progress.

Interestingly, some of the educators reported sharing these concerns and had similar frustration with the way that the IEP process was conducted. However, these educators tended to feel that there was little alternative to the meetings being conducted in this manner, due to the press of time and the limitations on staff availability.

It was also noted that neither regular educators nor regular education administrators were typically involved in the IEP process. By virtue of their absence and because of the relative absence of transition planning from year to year, parents expressed the feeling that they often needed to serve as informal case managers and inservice trainers for the school district's staff to acquaint them with the nature of their child's disability and his or her unique needs and to assure that various teaching strategies and interventions which had previously been utilized would carry over from the prior year.

Finally, several parents and school staff raised concerns that there is confusion about whether the IEP follows the child into regular education and the frequently the IEP does not adequately incorporate the modifications, supports and aids which are necessary for children with disabilities to be served effectively within regular education. This confusion leads to greater staff and administrative resistance to providing necessary support and increases the conflict between parents and schools surrounding whether and how a child will be included.

A second operational barrier is the absence of sufficient support for the regular education teacher in the form of consultation, additional staff within the classroom, availability of in-service training and additional supports needed to make inclusion successful. A significant element of support missing from many schools is the availability of classroom or one-to-one aides and resource assistance to provide direct supervision and/or instructional support to the child. While one-to-one classroom aides are certainly not required for many children with disabilities, it is also apparent from the information gathered that they are frequently required in order for a child with a disability to be able to function within the regular education setting. In many instances, supervision is not required for a full day, but rather for only parts of the day which represent particularly challenging times in the learning process for the child or in the activities of the classroom. Regular education teachers consistently require staff support to assist them in identifying the needs of the child and to help them in making adaptations to their instructional techniques, curriculum and classroom operation.

The ability of the school staff to prepare adequately for and implement direct interventions with children with disabilities and to engage in the necessary collaborative team planning and problem solving activities requires a greater degree of release time than is typically available within the regular schools. In addition, there is insufficient pre-service and in-service training both on-site and through access to training opportunities outside of the public school. There is also much less access to opportunities to observe operating inclusive programs than many educators felt would be desirable. Again, all of these training opportunities require release time from the school system.

A final support issue relates to access to special services when a child with a disability is presenting with especially challenging or difficult behaviors within the regular education environment. Given increased in-service training and some higher level of staff support and consultation, educators identified circumstances where an even greater level of intervention is or will be periodically necessary. This typically arises surrounding children who have particularly disruptive or highly aggressive behaviors or where the staff is having difficulty engaging the child in the educational process by virtue of the nature or severity of the child's disability. Apparently, very few schools are set up to provide this type of intermittent or crisis intervention.

As has been previously indicated, the higher education system is not currently focusing its educational activities on the preparation of general and special educators to deliver services to children with disabilities in inclusive settings. As a result, there is a paucity of instructional personnel who are equipped either to deliver appropriate services to children with disabilities in regular education as direct service providers or on a consultative or support basis. Further, there is a shortage of knowledgeable related services professionals who have experience with developing and supporting inclusive programming for children with disabilities. Finally, sources report a significant shortage of related service personnel with or without experience with inclusion in the areas outside of Chicago and particularly in rural areas. The absence of sufficient numbers of related service personnel adversely affects the ability to implement inclusive programming because related service personnel are frequently needed to assist with the process of making and supporting adaptations within the regular education environment. Further, inclusion may lead to related services personnel being spread more thinly along a variety of geographically separate delivery sites, especially during the transition period while inclusion is being set up. This also necessitates that greater numbers of related service personnel be available.

K. Additional Barriers to Inclusion in Specific Communities

All of these operational factors combine to create significant barriers to the implementation of inclusive practices at local schools. Throughout the public schools, regardless of their location, there are a wide variety of barriers to inclusion. In addition to the barriers identified above which manifest themselves across school settings, a number of barriers were identified which were specific to particular areas or particular populations of children with disabilities.

1. Special Challenges in Chicago

Several barriers were identified which were specific to the Chicago Public Schools. First, there was a pervasive and intense distrust by parents and teachers of the Chicago Public Schools' commitment and ability to provide the supports to teachers and to children which will be necessary for inclusion to be effective. Even given the stated support for inclusion from the Chicago Public School administration the last several years, virtually all of those involved either as consumers or providers of services with the Chicago Public Schools express skepticism about the ability and commitment of the Chicago Board of Education to implement inclusion.

Further, there were significant differences perceived in the understanding of inclusion as has been articulated here and the view of inclusion described by Chicago Public School administrators. The administrative model for inclusion did contemplate children with disabilities being served in less restrictive settings and anticipated that far more children with disabilities would be served in the schools they would attend if they did not have disabilities. However, the conceptualization of inclusion by Chicago Public School administration appeared to focus on a model in which services for children with disabilities, particularly those with moderate to severe disabilities, were still concentrated in self-contained classrooms, which were more fully dispersed among the regular education schools than has been previously the case. Very few people involved with the Chicago Public Schools had any confidence that supportive services necessary to promote inclusion actually based in regular education would be delivered. To the contrary, a number of informants expressed that such supportive services have not been provided.

Parents from Chicago explained: "Implementation [of the IEP] is a lot different [in] reality. I distrust this cooperative effort because I've seen slippage of a program right before my eyes. I've seen no services being provided for a month - and I'm there every day! The question is 'Will it be done?' [Visiting the classroom] once a month doesn't show."

Another Chicago parent commented, "I can't rely on the School Board to do what they are supposed to do. I can't rely on the school's good will."

A second concern expressed with a particularly high degree of frequency was the fear on the part of parents of children with disabilities that their children could not be safely educated within the regular education environment, especially in the Chicago schools. These parents perceived that their children were especially vulnerable and less capable of protecting themselves from physical or emotional aggression from other students. Further, these parents were concerned that their children could not adequately exercise judgment about resisting the negative influence which arises from the extensive presence of gangs within the regular education environment.

A further concern which is especially prevalent in Chicago, but can also be presumed to be present in a number of other communities, is the unique circumstance of children from families in which English is not the primary language. Among the focus groups conducted

through the course of the study was one arranged by Fiesta Educativa, an advocacy group for children with disabilities in the Hispanic community. A number of other informants also had experiences with Hispanic children with disabilities. These children were reported to experience a constellation of difficulties in functioning within the educational structure in which they were frequently denied access to services from bilingual special education and related services staff, while at the same time having similar difficulties as those present for other children with disabilities for whom English is the primary language. These children in effect experienced dual discrimination based both on their disability and their language barriers, with all of the cultural isolation attendant thereto.

2. Other specific barriers to inclusion

At the other end of the spectrum, rural schools were perceived to have special problems in implementing inclusion by virtue of their limited access to staff expertise, reduced availability of curricular options which allow for creative blending of classroom activities with the needs of particular children and less experience on the part of school staff in dealing with children with disabilities in general. Further, some perceive rural schools and rural communities to be particularly insensitive to the needs of children with disabilities and less willing to be creative about how to serve them.

Finally, there was some indication that school districts are far more willing and perceive themselves to be more able to implement inclusion at the elementary schools as compared to the high schools. This perception appears to be based on the widening gap between expectations and curricular demands for high school students and perceived ability to accommodate children with severe disabilities. This perception ignored the increased opportunities for adaptation offered by the diverse curriculum available in most high schools.

VI. RECOMMENDATIONS FOR BARRIER REMOVAL: A BLUEPRINT FOR CHANGE

The barriers to inclusion range from major structural and financial barriers to the simple question of the attitude of individual school staff. In order for inclusion to be successfully implemented in the public schools of Illinois, a dramatic restructuring of general and special education will be necessary. This restructuring will necessarily entail a change in the way that education is organized, funded and actually delivered in the classroom. What follows is a blue print for change. The recommendations presented are organized on the basis of the broad barrier categories previously identified. Further, as much as possible, within these categories, the recommendations are grouped on the basis of which actor or group of actors will need to take action to implement them. While these recommendations represent what the author believes to be a relatively comprehensive set of strategies for the implementation of inclusion in Illinois, the implementation of any subset will still produce positive effects in the implementation of inclusive education at the local school level.

A. Improve Training Programs and Access to Information in Order to Remove Informational Barriers

1. Update and revise higher education training programs to prepare educational staff to implement inclusion

Higher education teacher preparation programs must redirect their curricular offerings to incorporate instruction which will better equip teacher candidates to accommodate diversity within their classrooms and to serve children with disabilities. This will require a greater degree of training for regular educators about the nature of disabilities and the ways that they affect the educational performance of children with disabilities in the classroom. It will also require training for the teachers on curriculum adaptation, behavioral management, collaborative teaching techniques, problem-solving strategies, and preparing meaningful IEPs which can be used in the regular classroom. Similarly, special education teachers and related services personnel will also have to receive such training in order that they can provide more effective support to regular educators within the neighborhood schools. This training must not only take place through alterations in the curriculum, but also in requiring that student teacher placements include experiences working with children with disabilities in inclusive settings.

In addition, higher education programs must shift from a training model which focuses on preparing teachers to serve specific categories of disability to a model in which the emphasis is on instructional techniques and adaptations which will serve a variety of children with disabilities effectively in all settings within regular education. This will also entail an alteration in the certification requirements of the State Board of Education, based on recommendations of the State Certification Board. (See Recommendations at Section VI(H)(3)). Along with reducing the emphasis on categorical training, teacher training programs must incorporate cross training of regular and special educators so that regular educators are more aware of instructional techniques for serving children with disabilities and special educators are more aware of the

instructional expectations and curriculum issues which are presented for regular education teachers.

In addition, teachers should be trained to promote the participation and involvement of parents, particularly parents of children with disabilities, on a frequent and consistent basis within the classroom and in the decision-making process. Similarly, educators should be given sensitivity training in order to work more effectively with parents and to understand both their feelings about the nature of their children's disabilities and how they perceive the educational decision-making process. In addition, the teacher training curriculum should incorporate legal mandates and ethical considerations for instructional and related services professionals in order that the school staff will be more sensitive to these considerations in dealing with the complex variables which impact on services to children with disabilities.

Finally, higher education programs should develop pilot programs and new curriculum which create assessment and evaluation procedures and planning formats which focus more effectively on how a child is actually functioning, rather than on the child's deficits or performance on standardized test instruments. These procedures and protocols should emphasize recognition of each child's strengths and the need to incorporate programming which is tailored to each child's needs.

2. Improve inservice training at the district and building level

An essential component to shifting from more restrictive to inclusive practices is the retraining of existing school staff to equip them to implement inclusive education effectively. This will require a massive retraining and inservice training program in every school district throughout the state. A key feature identified by many reporters was that such training needs to involve more than a once a year, superficial exposure to special education or disability related issues. Instead, in order for school staff to receive meaningful benefits from such training programs, they must be consistent, in-depth, sequential and progressively more sophisticated in nature. Many of the educators with whom this was discussed perceived that current inservice training programs provide for brief and superficial treatment of a wide array of diverse materials, without providing any in-depth skill building opportunities for the teaching staff.

Inservice training programs should also incorporate cross training of regular and special education staff. Regular educators should become more familiar with strategies for adaptation of curriculum and intervention techniques for working with children with disabilities. Similarly, special educators should become more familiar with the curricular issues which confront regular educators in order to respond more effectively to their needs in serving children with disabilities in regular education. Further, related service providers and parents should be involved in in-service training, both from the standpoint of presenting trainings on issues that are relevant to their experience and in receiving such training, as both groups are often currently excluded from the training process. Finally, schools must provide financial support and release time to allow educational staff to participate in meaningful in-service training. This should include not only training which is provided on site, but also participation in out of district conferences, intensive

training programs and the opportunity to visit and observe existing programs which are successfully implementing inclusive services.

3. Accessible "how to" training resources must be developed and made available throughout the state

Although a number of resources currently exist from various state and national sources which provide information about inclusion, these resources are regarded as being too limited and relatively inaccessible given the degree to which they are needed. Training videos and manuals focused on implementation strategies for in-class practices to support inclusion need to be developed. These videos and manuals should not only address the theory or desirability of inclusion, but should provide concrete assistance to educators on how to implement inclusive practices given the wide variety of variables which present themselves within the classroom.

A second consideration should be the provision of financial support to existing model sites, in order that they can be more readily available to other school systems for the purpose of observation, study and replication of programming. Currently, the relatively limited number of such pilot programs and the relatively heavy interest by other schools in observing these programs has become burdensome and has resulted in such programs becoming limited in their availability to others for the purpose of observation and study.

Regional resource libraries should also be developed to accumulate and distribute written, audio and video materials on inclusive practices. These resource centers should not only have materials available to school districts and parents when they desire it, but should be utilized for the purpose of publicizing available materials in order that school districts and parents can become aware that such materials are readily accessible.

Finally, model in-service training programs need to be developed which can be easily replicated and implemented at the local school level. These training programs should be practical, progressive in complexity and based on prior research on priority issues and staff development surrounding inclusion. Much feedback was provided over the course of the study indicating that many of the current training programs remain focused on the conceptual issues surrounding inclusion and do not adequately address the practical considerations that educators have in making inclusion successful. In order to make training programs sufficiently accessible so that the absence of training is no longer a barrier, it is important that training not be dependent on the availability of the limited number of experts throughout the state. This means that training materials themselves should be developed focusing on staff concerns about how to implement these programs.

4. Promote increased involvement of parents of children with disabilities and the community at large in supporting inclusive practices in neighborhood schools

As schools incorporate inclusive practices and children with disabilities become present to a much greater degree within the neighborhood schools, it is incumbent upon the schools to assume simultaneously a leadership role in dealing with the perceptions of and insensitivity to disabilities within the community at large. School districts should adopt a leadership role in providing disability awareness training and in promoting support for diversity as a school and community value.

Parents of children with disabilities should be encouraged to participate in the various organizations involved with the public schools, including parent-teacher organizations and others. While some states have found advantages in setting up parallel parent organizations for families of children with disabilities, parents of children with disabilities should be encouraged to participate in the existing schoolwide organizations.

Given the sense of alienation that many children with disabilities and their families feel with respect to the public schools, it is especially important that schools ensure that school events, extracurricular activities and parent-school activities are accessible to the children with disabilities and their parents. The ADA specifically identifies access to such activities as included in the "program accessibility" requirement for public schools. Access includes structural access as well as communication access (such as use of sign language interpreters) where appropriate. Children with disabilities should not only be participating in the regular education school environment, but in all aspects of school life. The parents of children with disabilities should be encouraged to support the involvement of their children in these diverse activities and to participate in these activities as well.

As children with disabilities grow older, emphasis for many of them shifts from academic or instructional concerns to preparation for independent living. School districts should actively support community-based employment experiences and opportunities for involvement of children with disabilities in the various structures and activities within the community.

In order to ensure that appropriate resources are available to children with disabilities which can affect their educational experience, school districts and other training groups, such as the State Board and IPCDD, should provide ongoing training to parents on disability issues, special education procedures and advocacy. Parents should be encouraged to create support and advocacy networks which can assist them in dealing with the challenges which they confront as parents and in helping them to be more effective advocates for their children within the public schools. Finally, schools should actively promote recognition of the contributions which each person makes and the potential which each person has, and sensitivity to the difficulties which each of us experience at various times in our lives.

5. Develop training programs specifically targeted to principals and superintendents

Over and above the many other training activities which need to be developed in order to incorporate inclusive practices effectively into the regular schools, there was considerable indication that administrators, and particularly regular education principals, were key actors in determining whether inclusion would be implemented and, if so, whether it would be done appropriately. At the same time, there is considerable indication that most regular education principals are relatively unfamiliar with the educational and legal issues surrounding services to children with disabilities, let alone the issues relating to inclusion. Thus, the State Board of Education needs to develop a specific training program geared to informing principals about the nature of disabilities, the way disabilities affect how children learn and the strategies and supports which are necessary to overcome attitudinal barriers to inclusion within school structures and within the community.

In many ways, schools set the tone for acceptance of individuals in our communities. This is done immediately in the messages that we give to the parents and other adults in the community with respect to how we structure and direct the efforts of the school system. It is also manifested through the values which we encourage within the children who are being educated. The way in which the schools choose to address the rights and needs of children with disabilities have a profound affect on how these children will be accepted within the public schools and in the community at large. In many respects, the strategies discussed above with respect to informational barriers are meaningful in helping to reduce attitudinal barriers as well. However, a number of additional strategies are recommended which are geared to directly address the resistance to inclusion within the school community.

B. Implement Steps to Overcome Prejudice and Resistance

A first step in changing existing attitudinal barriers to inclusion is for the State Board of Education, local school districts and individual schools to adopt mission statements and policies which explicitly support the implementation of inclusive practices. These policies should convey accurately both what inclusion is and what it is not while reinforcing both the recognition of the rights of children with disabilities and the value of serving all children within the school setting. These statements should be widely disseminated in order that all segments of the school and broader community perceive an administrative commitment to the implementation of inclusive practices.

The second strategy for overcoming attitudinal barriers to inclusion, where there is at least some administrative support for adopting inclusive practices, is to make aggressive efforts to include staff and the community in planning for inclusion and in making tangible and specific commitments to provide the support needed in order for inclusion to be successfully implemented. This will include delineating the willingness of the school administration to provide personnel, space, training and technology necessary for inclusion.

Another important innovation which would support efforts to overcome attitudinal barriers to inclusion is for ISBE monitoring procedures to incorporate development of, support for and effectiveness in implementing inclusive practices. It would also incorporate the development of staff evaluation protocols which would include the extent to which staff were familiar with and able to incorporate and implement inclusive practices effectively in their direct service activities. While it is inappropriate for ISBE to be directly involved in the evaluation of staff, it is quite appropriate for ISBE to promote the use of evaluation procedures which incorporate assessment of staff competency in implementing inclusive practices.

Another significant step which could be taken to promote inclusive practices would be for the State Board of Education and local school districts to develop activities geared to provide motivation to school staff to respond positively to the opportunity for involvement with inclusive practices. These efforts should include providing publicity about the many positive elements which inclusive practices bring to staff development, including the opportunities to develop new skills, to work with new and different staff and in different ways as part of a transdisciplinary team and to develop new relationships with students and parents. These efforts should highlight professional growth opportunities and convey the extent to which both general and special educators can further develop their teaching skills and educational experiences in support of inclusive practices. As an adjunct to these efforts, the State Board of Education and local school district must both invest financial resources and commit to freeing up staff time for professional development and retraining activities. This will require both the creation of additional professional development opportunities throughout the state and taking steps to make existing professional development opportunities more accessible to educators throughout the state.

A further step which should be pursued by the State Board of Education is to develop and implement statewide disability awareness programs which would be geared to promoting inclusion and to addressing and overcoming the fears of the community with respect to people with disabilities in general.

In order to respond to the fears of both parents of children with disabilities and those of children who do not have disabilities, a number of steps should be taken at the state and local level. First, both the State Board of Education and local school districts should widely disseminate their policies, practices and positions in support of inclusion, diversity and the importance of inclusive practices. Second, local school districts which are in the process of considering and/or implementing inclusive practices within their schools should actively recruit both regular and special education constituencies to participate in the planning process for inclusion and to assist with the dissemination of information surrounding inclusive practices. Third, the State Board of Education (and/or the Planning Council) should support the development of protocols or programs which would be available to local school districts for the purpose of establishing inclusive practices with wide community involvement and promoting the district's plans with respect to inclusion throughout the community.

Finally, recognizing the controversial nature of inclusion and the wide range of feelings about it, school districts should be prepared, where appropriate, to accommodate parental

preferences in two respects. First, many school districts are likely to develop plans for incremental implementation of inclusion across the district over a period of time. Typically these plans call for implementation in stages at select sites, targeted grade levels or with particular disability categories with the intention of evolving toward substantially inclusive schools at some point in the future. It is clear that many parents are eager to secure inclusive educational opportunities for their children immediately, without regard to the long range implementation plan that may have been developed by the school district. Where by coincidence the family happens to live in a school district in which the inclusion plan matches the educational status of the child, there will be no problems. However, there will also be parents seeking inclusive placements in a manner which is not synchronized with the school district's plan. Every school district should incorporate some contingency planning which will allow for the implementation of inclusive programming for particular children, even if this is not consistent with the timing of the overall district plan. If the school district fails to anticipate and accommodate these situations, it will effectively undercut the perception of parents of children with disabilities that the district is serious about its commitment to inclusion because the district will end up in an adversarial situation despite its ostensible commitment to inclusion.

On the other end of the spectrum, school districts which are committed to implementation of inclusive practices should be prepared, where appropriate, to accommodate parents who are not yet ready for the inclusion of their child. For example, parents may have a desire for a child who is deaf to have opportunities to develop involvement with other children who are deaf prior to being included. Unless there is substantial basis to conclude that the position sought by the parents is sufficiently inconsistent with the child's educational needs to be unjustifiable, the school district should attempt to accommodate the desire for parent choice independent of the overall school plan. Efforts on both sides of this continuum will help to promote parent trust and reduce the sense that inclusion is an "all or nothing" proposition. Further, such efforts will demonstrate that school districts remain committed to parental involvement and are serious about incorporating parent input, regardless of which direction that shifts the placement.

Overall, a broad based and far-reaching effort must be conducted by the State Board of Education and local school districts in order to overcome the many attitudinal barriers to inclusion. Some of these attitudinal barriers will be changed by information and publicity campaigns. Some will be overcome by clear leadership at the state and local level and some will be overcome by the implementation of inclusive practices in a way which demonstrates the school district's commitment to quality education, as opposed to dumping children without support. Given the widespread prejudices against individuals with disabilities throughout our society, these efforts will be helpful in addressing broader issues and may be necessary for many years to come.

C. Strategies for Overcoming Instructional/Technological Barriers

A wide variety of changes are needed in order to overcome existing instructional and technological barriers. These range from changes in the existing assessment, diagnosis and evaluation process to development of new methods for responding to particular needs of children

with disabilities within regular education and improved distribution of information concerning successful practices.

1. Revise identification and evaluation procedures

A first step in overcoming instructional and technological barriers to inclusion is to redesign substantially the process for identifying children with disabilities and determining their needs. The current process is deficit-based and tends to rely on a wide variety of procedures which do not accurately reflect what a child is able to do. Considerable effort needs to be expended by the State Board of Education, the Illinois Planning Council on Developmental Disabilities, and various higher education institutions to improve the understanding and use of functional, portfolio and curriculum based assessment practices. Currently, most evaluation teams continue to utilize assessment procedures which are either not intended for the purpose for which they are being used or do not accurately reflect the abilities of the children being assessed. Existing procedures which more accurately identify the abilities of children with disabilities need to be disseminated. In addition, new practices need to be developed which will allow for more accurate and meaningful diagnosis and evaluation.

2. Include regular educators in the planning process

School districts must make much more aggressive efforts to involve the regular education teaching staff both in the initial meetings in which eligibility for services is determined and in the subsequent planning meetings in which both initial and follow-up plans are established. Unfortunately, unless and until regular education staff are incorporated into this process, it is unrealistic to expect that there will be a high correlation between the special education based assessment of the child and the regular education program implementation.

3. Reduce emphasis on label as a basis for services

A third change will require that school districts, using federal guidelines for determination of eligibility, shift the focus of program development from the category or label of disability to the nature and intensity of services needed. This will also require a significant redirection by the State Board of Education and various higher education institutions in developing diagnostic procedures and intervention strategies on the basis of need and type of intervention, rather than type of disability. As a related matter, evaluators need to be trained to focus their recommendations on the child's strengths, needs and services required rather than to presume that the identification of a particular disability automatically defines a programmatic response to the child. All too often, members of the multi-disciplinary team establish a label for the child and then assume a particular placement option is required by that label. By virtue of the apparent unfamiliarity of many evaluators with the ways that regular education can be adapted to accommodate children with disabilities effectively, inclusion is not even considered in the range of options being discussed.

4. Identify and disseminate successful practices

In order to further the understanding of local schools in methods for accomplishing inclusive practices, the State Board of Education and Illinois Planning Council on Developmental Disabilities should conduct additional research to identify successful practices from other states and from school districts within Illinois. While this study engaged in that process on a very limited basis, it was not intended to conduct a comprehensive survey of such practices either within Illinois or throughout the U.S. Clearly, much is to be learned from districts which have further developed inclusive practices in Illinois and in other parts of the country. Such study would allow school districts to implement inclusive practices more efficiently based on the experiences of other school districts.

Throughout this study, parents, educators and administrators decried the absence of practical implementation materials to provide guidance on ways to implement inclusive practices. These materials need to be developed and must be readily accessible to all interested school districts.

Statewide and local training programs and evaluation protocols for collaborative teaching, team planning, team teaching and problem-solving methods also need to be developed. Each of these represent characteristics of staff activity in inclusive programs which are regarded as essential for effective inclusion. There was wide recognition in this study that cooperative strategies are not widely utilized by most school staffs and are atypical for most direct service providers. As these teaching techniques are disseminated throughout the state, the State Board of Education must also incorporate monitoring of these procedures into its local district monitoring activities, even though it is not required by state or federal law.

5. Expand access to adaptive equipment

Training should also be provided to school staff and parents on the growing range of adaptive equipment and the ways in which such equipment could be utilized to assist children with disabilities to function more effectively within the regular education environment. Information should be disseminated throughout the state on the school district's responsibility for assessment, purchase and training with respect to adaptive technology. While it is recognized that adaptive technology is only of value for a relatively small subset of the total population of children with disabilities, it is also clear that such technology offers significant opportunities for these children to participate more successfully within regular education. An added benefit of providing this equipment is that it often can be used over the course of many years and can even be passed on from student to student. As such, the availability of these technologies throughout the state is an urgent priority.

6. Improve support for children with disabilities perceived as particularly challenging

Perhaps the most difficult instructional barrier to address is the perceived difficulty in even developing inclusive placements for children identified as severely emotionally disturbed, behavior disordered, autistic (characterized by severe behavioral problems or severe communication challenges) or extremely medically fragile. The information gathered in this study demonstrates that many children who fall within these groups can be effectively educated given locally existing "best practice" teaching techniques, but are not receiving these services locally because these techniques are not known to many of the local schools. Thus, the first step in overcoming this barrier is the accumulation of available best practice procedures for serving children with challenging disabilities and disseminating these practices to local schools to be incorporated within the range of services offered.

Considerable effort also needs to be devoted to the development of new strategies for dealing with children with these particular disabilities. Pilot programs should be developed throughout the state to support efforts by local school districts to serve children with these disabilities who would otherwise be excluded from regular education. These pilot programs should develop new strategies which are easily replicated. Further, these pilot projects should be funded in such a way that visitation by interested school personnel throughout the state can be easily accommodated.

"BD intervention is broader than schools. Kids need the 'Homebuilder' model [an in-home caseworker 24-hours/day for 2 months]. This gives parents skills. There needs to be a community response, i.e., mental health social services and education. Services are [now] coordinated at the school site. We couldn't have designed a worse system for intervention services. We can't afford to wait."

Colorado special education administrator

The wraparound service programs being developed through several pilot projects funded by the State Board of Education are one example. These programs address the needs of children with severe emotional and behavioral disabilities who are otherwise regarded as being unmanageable within the regular education setting and would historically have been placed in private day schools, residential treatment centers, hospitalized or incarcerated. These wraparound programs are designed to provide a higher level of structure for the children involved, not only during school, but at home and in the community. The programs also provide intensive support for families, with training and counseling to assist families in responding to the needs of the particular children in all settings. Crisis intervention supports are also provided to assist when particular problems arise whether in school or in the community.

Both in order to serve the child in the least restrictive environment and because it will ultimately produce better outcomes for the child, school districts should develop a broader orientation to delivery of services that will support the child in a variety of settings. For children with severe psychiatric, emotional or behavioral disorders or children with severe autism or medical difficulties, schools must recognize the need, preferably in coordination with other agencies, to provide support to families with respect to the functioning of the children outside of school. Unfortunately, children frequently end up in more restrictive settings, not because of the inability of the school to support the child appropriately within the school context, but rather because of the broader need for support of the child and the family throughout the entire day. Although this need is frequently regarded as non-educational in nature, it often has the result of leading to the child's exclusion from regular education. These findings underscore the importance of developing meaningful and mandatory interagency cooperation agreements so that the school district does not bear the financial burden of all such services.

A third strategy is to create local school, district-wide, and regional support/problem-solving teams. These teams, which would be ad hoc and available as needed, rather than operating on a permanent basis, would address two separate problems. First, they would be available to address adverse reactions from staff and/or community members who are articulating particularly strong opposition to the implementation of inclusive practices. These teams would need to be skilled at community mediation techniques and have sufficient knowledge of inclusive practices to be able to identify, respond to and address many of the fears that might arise from constituencies expressing opposition to inclusion.

A second role for these problem-solving teams would be to respond to situations in which children with disabilities are presenting severe and particularly challenging behaviors to which the school is having difficulty responding appropriately. These intervention teams would be available to provide support to the child and direct service staff and assist in developing strategies which would promote the child's continuing ability to be effectively served within the inclusive setting, while providing additional resources and support so that the school staff did not feel helpless or caught in the middle.

Finally, the State Board of Education and school districts should expand parent training and coordination of home and school social work services in order to address the challenging behaviors and other needs of children who are having difficulty succeeding within the regular education environment even with supports and aids. In the end, it is clear that a partnership between schools, the community, community agencies and the parents must be developed. School districts must exercise a leadership role in bringing together these various entities. Such leadership is necessary both to ensure that children with disabilities are served in the least restrictive environment and because doing so will produce vastly improved outcomes across all settings.

D. Aggressive Leadership Must Be Exercised at the State and Local Level to Overcome Leadership Barriers

Unless and until aggressive and consistent leadership is demonstrated at both the State Board of Education and the local school district level, implementation of inclusion will remain random and inconsistent. Currently, the variable reported by many informants which appears to determine most significantly whether a child with a disability has access to an inclusive or more restrictive educational program is based primarily on the coincidence of geography. What this means is that the same child, presenting the exact same set of disabilities, may be offered a fully inclusive or highly restrictive educational program based solely on which school district he or she happens to live in. This randomness even occurs based on which local school the child happens to attend within a particular school system. This variability reflects the failure of leadership at the state and local level, which constitutes the major barrier to implementation of inclusion.

1. Leadership initiatives at the state level

The first step to development of strong leadership at the state level is the enactment of a policy statement by the State Board of Education supporting inclusion. This policy statement should delineate the State Board of Education's endorsement of inclusion conceptually, describe specific expectations with respect to school district activity and identify specific initiatives which will support inclusive practices. These initiatives should include many, if not all, of the recommendations which are contained in this report.

The policy statement currently pending before the State Board of Education represents a politically driven statement which is primarily a restatement of existing federal and state law. While enactment of this policy statement will be welcome for its symbolic significance, a more detailed statement would convey a fuller commitment to inclusion[31].

At the same time, the State Board of Education should initiate additional efforts to amend state law with respect to funding of special education,[32] step up monitoring and enforcement

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[31]In response to the controversy about inclusion and to information communicated by pro-inclusion presenters at a recent ISBE board meeting, ISBE has initiated the development of an action plan to promote inclusion, including a public information campaign, outreach efforts and attempts to address funding and personnel issues. Even if overdue, these efforts are welcome and need to be expanded. See, for example, ISBE Department of Special Education Forum, March, 1994.

[32]While ISBE has initiated some legislative changes in the state special education funding scheme, these changes have not yet addressed the major changes needed to neutralize current disincentives to inclusion and to create additional incentives to promote implementation of inclusion.

efforts to support inclusion on an ongoing basis at the local school level and free up additional funds to provide direct support for implementation of inclusive practices in local schools, including support for intensive services for particular children, staff training, parent training, and barrier removal.

A third critical step to be undertaken by the State Board of Education is a concerted effort to implement the necessary legislative and administrative changes to secure a functional interagency cooperation system at the state and local level. For this system to be effective, some entity must have authority to supersede and direct each of the other state agencies with respect to funding decisions both at a programmatic level and with respect to specific children. Since ISBE, unlike the Department of Children and Family Services and the Department of Mental Health and Developmental Disabilities, has legal responsibility for ensuring that children with disabilities receive a free appropriate public education in the least restrictive environment (34 C.F.R. 300.600), even if the children may also be eligible for services from other state agencies, ISBE must ultimately assure that this happens. Unless and until such a system is developed, the state will continue to waste millions of dollars duplicating services among state agencies, to experience reduced quality of services due to the absence of coordination among agencies and to injure children and their families due to the excessive bureaucratic delays which are especially prevalent in the system as it is currently designed. To the extent that school districts identify resource issues as one of the barriers to the implementation of inclusion at the local level, the availability of meaningful support from other agencies at the local level can go a long way to easing the financial burden on the schools. Again, this can only occur if there is meaningful and consistent interagency coordination at both the state and local level.

State certification requirements need to be revised to reflect more accurately the needs of children with disabilities and to move away from the categorically bound system currently being utilized. At the same time, the State Board must aggressively pursue modifications in teacher training programs at the higher education level and through in-service training to ensure that new and existing teaching staff are given adequate preparation for serving children with disabilities within the regular education environment. ISBE should develop leadership training programs for local boards of education and administrators to acquaint them with both the theory and mechanics of inclusion. Model policy statements and district level model implementation plans should be developed and distributed.

2. Leadership initiatives at the local level

Increased leadership is also needed at the local school district level. Local boards of education should develop policy statements in support of inclusion similar to those which need to be adopted by the State Board of Education. These policy statements must reflect the local board's support for providing children with disabilities opportunities to participate in the regular education environment in their neighborhood schools, with necessary supports and aids available for that experience to be successful. Such statements should also reflect the commitment of the local boards to provide the supports that are necessary to make inclusion workable for both the students and their teachers. These should include concrete commitments to adequate teacher

training, ongoing consultation, release time and availability of aides, where needed. Further, these policy statements should convey that the effort to support inclusive practices is not a transitory process, but rather reflects a substantial and ongoing commitment by the board of education.

School districts must also reassert control over special education decision-making relative to the control currently exercised by special education joint cooperatives. Boards of education must explicitly acknowledge the responsibility of local school districts for the education of all children who are residents of the school district. School districts which utilize some form of non-district service delivery, whether by joint cooperatives or otherwise, must have clearly defined, aggressive and ongoing monitoring mechanisms to ensure that the school district is maintaining awareness and control over the educational programs delivered by non-district providers. Further, the school district should ensure that any child who is receiving services outside the neighborhood school regular education classroom should be provided with explicit ongoing review procedures and transition plans which will ensure that the child's placement outside of regular education will be only for the time period essential for the child's needs to be addressed, with ongoing efforts to promote the child's quick return to the neighborhood school setting.

Leadership by the boards of education is necessary to ensure that children with disabilities are regarded as having at least equal priority, rather than low priority, in the overall planning, policy-making and funding scheme of the district, with some elements of services to children with disabilities requiring higher priority attention. Districts must ensure that policies, budgetary practices, staff deployment, classroom allocation, class size and release time decisions take into account the needs of children with disabilities and the staff who serve them within the regular education environment.

Finally, recruiting and evaluation procedures for senior district administrators should incorporate assessment of support for and success in implementing inclusive practices. This assessment should include superintendents, other cabinet level officers within the school administration, the director of special education and building principals. In this manner a clear expectation is communicated to these administrative staff that the board of education considers it the responsibility of these individuals to promote inclusive practices. Implementation of these recommendations will improve accountability for inclusive practices within the local schools.

3. Leadership initiatives by principals

A third group where strong leadership is needed is the local school principals. Building principals should develop site-based mission statements and policies which support the inclusion of children with disabilities within their schools. These policies must target ways that the individual school will incorporate inclusive practices, including strategies for providing retraining and support to the local school staff in order that they can implement inclusive practices effectively.

A second key building level change should be the expectation that each principal is responsible for all children who fall within that school's catchment area, regardless of whether they are actually attending the school. By assigning a high level of responsibility to the local school principal to maintain awareness of and responsibility for these children, it is hoped that children who are currently being excluded from the local school will not be forgotten, but rather will be a continuing focus of local school attention.[33] This proposal serves several functions. First, it maintains a continuing sense of ownership by the local school with respect to the child. Second, it makes it more likely that a transition plan providing for the child's return to the local school will be developed and implemented. Third, it means that once the transition is implemented, the child's return to the local school will be less abrupt and based on mutual planning and effort.

The responsibility of the local school principal for all children with disabilities within the school building should also be made clear. Any involvement by district-based personnel, joint cooperative personnel or other contractual providers tends to dilute the perception of responsibility by the local school staff. The principal must make it clear that any children being educated within the school building are the responsibility of all staff within that school building, rather than minimizing or deflecting the responsibility to providers who are coming into the school building on a visiting basis.

School principals must also assume responsibility for ensuring that there is adequate support for inclusion in the building-based administrative decision-making process. This should include ensuring that staff is deployed in a manner which will promote maximum coverage and support for teachers who are providing services to children with disabilities. This support must include adequate consultation from special education professionals with prior experience and expertise in providing services to children with disabilities, including expertise in instructional strategy, curriculum adaptation techniques and positive approaches to handle challenging behavior. It should also include making available staff support in the form of part or full-time classroom or one-to-one aides to address the need for increased attention and supervision of those children with disabilities who require it in order to participate in regular education. It must also incorporate adequate release time to allow for planning by the regular education staff with the special education consultants, aides and related service providers. Staff support must also include providing access to equipment and technology which will assist children with disabilities to participate successfully in regular education. This support ranges from provision of needed high technology items identified as essential for the child to benefit from education through the IEP process to simply the provision of a larger sized "lego" building block to a kindergartner with motor problems who is unable to manipulate the smaller "legos" being utilized in the classroom.

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[33]Where a school district does not use a neighborhood school model, due to desegregation orders or otherwise, some other means to implement this goal will be needed.

Data from the study makes clear that there is a strong perception that students with disabilities are often excluded from participating in the neighborhood school because they may need extra space for provision of related services and other individualized activities. Further, where special education classes are located within regular education schools within a district, they are generally seen as the classes which can be most readily shifted from place to place within buildings and from building to building within the district. Local school principals and the district at large must make a commitment to provide the space necessary for inclusive practices to be implemented and must assure that space considerations do not dictate the placement of children with disabilities.

The building principal should also clearly delineate an expectation that school staff will develop skills for and commitment to the implementation of inclusion which will be a part of performance evaluation for all staff. This will provide a powerful incentive for school staff to modify their attitudes to support inclusion and to develop expertise in implementing inclusive practices.

Finally, school principals must promote a spirit of inclusiveness in all school activities. This spirit must reflect not just tolerance for, but a welcoming of, diversity within the school building as well as a clear statement supporting sensitivity to the differences in all of us and a respect for the individual rights and dignity of all students.

4. The role of parents

Leadership must also be developed within the community, particularly in the community of parents of children with disabilities. The development of such leadership should be actively supported by the State Board of Education and by local school districts.

At the state level, the State Board of Education and the Illinois Planning Council on Developmental Disabilities should assist in developing regional parent leadership networks to encourage training, information sharing and advocacy by parents at the local and state level. While some effort has been made recently to develop such networks, e.g., People for Inclusive Communities, Coalition on School Inclusion, Families First and other organizations, there is still no broad-based, well-established state organization offering both information and leadership in promoting inclusion throughout the state. Existing organizations need to be strengthened and/or new organizations need to be developed in order to accomplish this goal. These organizations should have an increased emphasis on helping parents to develop local level networks which will provide ongoing support for efforts to promote inclusive education. Thus, such activities must include a community organizing component in which parents are provided with training and ongoing support for the development of local level networks.

In addition, the State Board of Education, the Illinois Planning Council on Developmental Disabilities and others must develop and disseminate up-to-date educational materials for parents on a wide variety of subjects which will assist them in promoting more inclusive services for their children. These materials should include information about functional assessment, IEP

planning, use of aids, supports, adaptations and modifications and methods for working with and advocating within the schools.

At the local level, school districts should take a variety of steps to promote more active parent involvement and leadership with respect to the needs of children with disabilities. School districts should support the creation of parent networks through the provision of advice, access to materials provided by the State Board of Education, space and limited funding and in sharing names of individuals who might be interested in participating in such networks through existing parent organizations (with appropriate consent). School districts should also develop open school policies which promote the ability of parents to visit and participate in the day-to-day activities of the schools. Districts should also encourage frequent parent-teacher interaction, use of parents in the classroom as ongoing classroom volunteers and frequent family/school activities. The school building should become a focal point for community activity that includes children with disabilities and their families.

There was some conflicting data as to whether local parent networks should be established which are specific to children with disabilities or parents of children with disabilities should be encouraged to get involved in existing general education school related organizations. We recommend that both be developed in the short run. Organizations that are specific to families of children with disabilities should have as a long-term goal the merger with general education organizations as the need for discrete advocacy on behalf of children with disabilities becomes less acute. In the short run, however, it is unrealistic to expect that the networking and advocacy which will be needed to promote inclusive practices can occur within existing structures such as the PTA.

Schools should also be encouraged to provide parent advocacy training on an ongoing basis. Such training should provide concrete information to parents about ways to work effectively with the school, to improve understanding of the nuts and bolts of the process and to provide ongoing involvement of parents in the decision-making and implementation process within the public schools. The school should also consider establishing parent-buddy systems in which parents who have more experience with the delivery of services to children with disabilities within the public school are available to parents who are newcomers to these issues in order to provide them with support from a parent perspective.

School districts should also explore development of ombudsmen within the schools who would be available to provide direct support and advocacy on behalf of parents within the school system itself. Many school districts throughout the U.S. have developed ombudsmen programs in which parents are hired to provide support and advocacy within the school systems. These systems have been reported to be highly successful in assisting parents and in reducing parent-school conflicts.

Actions by the State Board of Education, local school districts and parents which provide a substantially higher level of support for inclusion will all serve to promote a positive shift from

resistance to inclusion to support for the implementation of inclusive practices. Such leadership will expedite the implementation of inclusive practices.

E. Schools Must be Physically Accessible in Order for Inclusion to be Consistently Implemented

Many individuals reported problems with physical accessibility as constituting a barrier to inclusion for children who are mobility impaired. Two federal laws specifically relate to the elimination of physical barriers. New construction and remodeling of public school facilities must be accessible pursuant to both the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973. State law, the Illinois Environmental Barriers Act (EBA), also specifically addresses these areas. The ADA has also created a new standard of "program accessibility" that applies to existing facilities, including all public schools. Program accessibility requires that the program, service or activity, when viewed in its entirety, be readily accessible to and usable by individuals with disabilities. The ADA specifically indicates that a public entity cannot exclude people with disabilities because of inaccessible facilities, although both structural and nonstructural methods of achieving program accessibility are acceptable. However, if there is no non-structural alternative, structural changes are required unless an entity can meet the rigorous "undue burden" standard.

However, in order to facilitate the goal of home school placement, we believe the State Board of Education must take a leadership role in promoting remodeling to remove barriers in existing school facilities to allow children with physical disabilities to participate in their neighborhood schools. Although there is no explicit legal mandate that it do so, the State Board of Education should incorporate Americans with Disabilities Act compliance into current monitoring of local schools. By virtue of providing outside monitoring of ADA compliance, school districts would be given more explicit and immediate information with respect to accessibility barriers in the existing physical plant. Many school districts, based on information reported, are taking a "wait and see" approach to compliance with the Americans with Disabilities Act. By incorporating compliance within the State Board monitoring procedures, school districts will address ADA compliance on a proactive basis.

The State Board of Education or the Illinois Planning Council on Developmental Disabilities should sponsor statewide training on barrier removal, with particular emphasis on low cost activities to create barrier free environments. This training should be directed both to administrators responsible for physical plants and to general education administrators who are less likely to be aware of obligations under the Americans with Disabilities Act or methods which could be utilized to overcome existing barriers without unduly burdening the school districts' finances. A manual of common and inexpensive modifications to promote school accessibility should be developed and distributed.

Finally, the State Board of Education should create funds, grants and/or low interests loans to support removal of barriers by school districts which are not otherwise undergoing

renovation.[34] The structural access requirements of the ADA and Illinois EBA are only triggered when new construction or remodeling is occurring. School districts are not obligated to invest school district funds in barrier removal in existing structures if program accessibility can be achieved at nearby schools in the same district. In order to encourage schools to use the neighborhood school as the base for educating a child with a disability, rather than providing program accessibility in another site, school districts must be given some financial support which will encourage them to engage in barrier removal even when not obligated to do so under the ADA.

Even given serious commitment by local schools to promote inclusive practices, schools must be physically accessible to children with mobility impairments. Thus, barrier removal in existing school buildings is a priority for implementing inclusive practices throughout the state.

F. The Delivery of Services to Children with Disabilities Must be Reorganized to Support Inclusive Practices

A wide variety of structural and organizational impediments currently exist which interfere with the implementation of inclusive practices in local schools. In order for these barriers to be overcome, the way in which special education services are currently organized will need to be substantially changed.

1. Eliminate separation of general and special education departments

First and foremost, the current separation of special and general education must be eliminated at both the state and local level. This is necessary in order for actual and ongoing collaboration to occur between the special and regular education staffs. Special education staff should be incorporated within the local school building where appropriate. Low incidence or itinerant service providers should be regarded as being part of the overall school structure, rather than isolated within a special education department. This change is necessary in order to change work relationships, eliminate the problem of diffused or separate responsibility for children with disabilities, promote mutual accountability and reduce barriers to communication. Assistant Superintendent Lieberman recognized the importance of good communication and mutual responsibility between regular and special educators: "When special education services function to support the individual child or youth with disabilities in the general education or community setting they would attend if not disabled, and when lines of communication and responsibility are clearly articulated, individual local schools have a high probability of assuming ownership for the individual with disabilities." Lieberman, G., ICASE presentation. Further, to the extent that confusion over who is responsible for children with disabilities has served as a major impediment because responsibility was not assigned to the regular education staff, merging

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[34]IDEA already provides for financial support to states and school districts to promote barrier removal. 20 U.S.C. §1406.

regular and special education staff will reduce the likelihood that any segment of the school staff can deflect responsibility on the basis that they are not the ones primarily involved in providing services to the child.

Local school principals should be made responsible for all staff working full time within their buildings. Similarly, they should be responsible for all students who fall within the school's catchment area. Assigning responsibility to the building school principal for special education staff will improve accountability for the actions of the special education staff and encourage the principal to take the appropriate steps to integrate the special education staff in the overall decision-making and activities of the school. Similarly, it will reinforce the message to the school principal that s/he is responsible for the quality and outcomes of education for all children, including those with disabilities who are in the school.

School districts should define support based on types of needs and intervention required rather than on categorical eligibility. Support teams should be developed that are centered around the types of intervention needed, rather than particular disability labels. These teams, which would be available to all public schools within the district, would not be organized in a separate special education department but would be incorporated within some element of the regular education administrative structure.

2. Reorganize joint cooperatives and purchase of service relationships

While it is important for districts to identify sensible economic practices to obtain maximum purchasing power from existing financial resources, the effort to economize in the delivery of special education services and to consolidate expertise through use of joint cooperative agreements has had severe adverse effects on the inclusion of children with disabilities in regular education at the neighborhood schools. The joint cooperative structures have historically operated self-contained programs, both in segregated schools and in cluster sites within public schools. These cooperatives have developed substantial bureaucracies which have taken on a life of their own. These bureaucracies have tended to be resistant to implementation of inclusive practices in many instances. One suspected reason for this is the fear (which the author believes to be unfounded) that dispersing children with disabilities throughout the regular schools will necessarily lead to the demise of the cooperatives. Further, the existence of a separate staff employed by a separate employer with responsibility for serving children with disabilities has shifted responsibility and commitment to providing services from the local school building and the local school district to the cooperative. Thus, the State Board of Education should assist local school districts to develop a mechanism for promoting efficient use of school resources, particularly low incidence services, without the many disadvantages of the existing special education co-op structure. Unless the joint cooperatives are able to reorganize dramatically to offer support and consultation services at the local school level, the cooperative system should be disbanded.

Whether or not the cooperative system is disbanded, school districts should be encouraged to use financially efficient means for obtaining low incidence services which are not dependent upon one special education bureaucracy such as joint cooperatives. Existing cooperative structures could competitively bid against one another for provision of certain services. Other service delivery structures outside of the joint cooperatives which have available a wide array of services such as hospitals and universities, could also be utilized by public schools to meet low incidence needs without becoming dependent on the special education cooperatives. Such competitive bidding would increase accountability, by giving school districts choices among service providers. It would also require the establishment of quality indicators by which the performance of contractors could be measured and would promote further cost control by virtue of creating a competitive environment. All purchase-of-service contractors would be expected to meet all certification requirements imposed upon public school programs and staff.

Whatever low incidence service delivery structure is utilized, local school districts must retain legal and operational responsibility for all services for children with disabilities within particular schools and within the school district. School districts must develop much more aggressive procedures for maintaining control over services delivered by non-district providers and for assuring the accountability of these providers on an ongoing basis. No services should be contracted out to other individuals or entities until the school district has a regular, thorough feedback and review system for assuring those providers are delivering quality services. The review should focus significant attention on the goal to transfer children back to district based services as soon as possible.

The Illinois School Code and special education regulations should be amended to prohibit local school districts from delegating to special education cooperative staff the responsibility for serving as the local school administrator with authority to commit services at the staffing level. At all staffings concerning children with disabilities, the local school must have a member of its own staff present with authority to make decisions on behalf of the school district with respect to program and services. School districts should also be required to maintain all school records, other than raw data and personal notes of individual services providers, at the site where the student is based even if significant services are provided by itinerant, cooperative or purchase of service staff. If the child is maintained in a school other than the neighborhood school, a parallel copy of records shall be maintained and updated at the neighborhood school. The purpose of this requirement is to further consolidate access to information and responsibility at the local school level, rather then perpetuating the diffuse responsibility currently present in the local school district/joint cooperative structure.

3. Implement mandatory and binding interagency coordination agreements

A final area for major reorganization relates to the need to create meaningful interagency cooperation at the state and local level. At the state level, some interagency entity must be given authority to resolve conflicts among the State Board of Education and other agencies with

responsibility for children with disabilities and to override individual agency decisions when those decisions are in conflict with the overall commitment to providing services to these children.

Local interagency cooperation agreements should be established in all communities, incorporating both public and private agencies which have interest in delivery of services to children with disabilities. Conflict resolution procedures should be established at the local level for the purpose of ensuring that these interagency agreements offer a meaningful vehicle for coordinating services among various providers. Local school districts and community agencies should be provided with training and support from the State Board of Education on how to structure and utilize interagency agreements. To the extent necessary, state law should be modified to allow information to be exchanged among the various agencies in a manner which is respectful of the confidentiality rights of the individual student, while facilitating appropriate sharing of information among agencies.

G. Funding of Services for Children with Disabilities Within the Public Schools Must be Substantially Changed in Order to Overcome Existing Financial Barriers to Inclusion

Quality education for children with disabilities within the regular education environment at the neighborhood school cannot be achieved without quality education being available within those schools in general. The current crisis in funding of education in Illinois, which manifests itself both through inadequate funding generally and in unequal access to financial resources between school districts, reflects a significant barrier to the delivery of quality education for all children. Further, the enormous financial strain being experienced by most school districts at the present time creates an additional barrier to the implementation of inclusive practices, by virtue of the concern voiced by school administrators that implementation of inclusive practices will create a further drain on already strained school resources. Thus, the single most important step necessary to overcome financial barriers to inclusion is for the state legislature, at the initiative of the State Board of Education, to adopt a massive restructuring of educational funding in Illinois which would ensure a higher level of funding across the board and provide a greater level of funding in those school districts which are especially financially strapped due to an inadequate local property tax base. Whether this financing reform is based upon increased state funding from existing revenue structures or a complete shift away from a locally based funding structure to a state based funding structure, state action is imperative for the funding crisis to be resolved.

It is also important for school districts to introduce competitive bidding for the provision of low incidence and related services, using both quality and price measures as predicates to awarding service contracts to non-school providers. Given the reality that increased funding from the state is not likely, all available means must be explored to utilize more efficiently existing school resources to deliver a higher quality of services at reduced costs. Introduction of competitive bidding may provide opportunities for schools to achieve the same or higher level quality of services, while substantially lowering their expenditure for each unit of service.

Illinois currently spends tens of millions of dollars through the State Board of Education, the Department of Children and Family Services, the Department of Mental Health and Developmental Disabilities, and the Department of Public Aid on funding services, treatment and room and board for children with disabilities in hospital and private residential treatment centers. These overlapping services are highly fragmented and provide little coordination with local service delivery systems. The funding scheme provided by the State Board of Education for residential placement actually creates a financial incentive for school districts to place children in private residential facilities, as the State Board of Education assumes virtually all of the expense of these placements when made for educational reasons. By contrast, the State Board of Education provides insufficient reimbursement to school districts for exceptional or extensive services needed to serve a child with moderate to severe disabilities effectively within the regular education structure. This discrepancy between state funding to support services in segregated and self-contained settings and the absence of funding for services which support the child within the community also occurs within the Department of Mental Health and Developmental Disabilities in its Individual Care Grant program.[9]

In order to alleviate this problem, all current funding from each of the state departments for children with disabilities apparently needing residential placement should be consolidated into one funding pool. This funding pool should be available to support residential placements and a wide variety of services which would allow the child to be successfully educated and receive necessary services while remaining in the community of residence. These funds would be accessible through application by parents, the school district and other state agency local offices to one unified funding source. These funds would be provided on the basis of need without regard to whether the services were regarded as educational, medical, psychiatric, health related, or otherwise. Funds could be directed to provide support for the local school district, for locally based community services or other needed services including residential services where it is determined that provision of locally based services cannot meet the child's needs. This consolidated fund would be administered either by an interagency cooperative panel or by some other entity established by the State Board of Education in coordination with the other state departments. All procedural safeguards available under IDEA would apply to this process. Further, the decision making entity must develop a procedure to insure that community based services are utilized before more restrictive services are considered. Clearly, these recommendations represent a massive restructuring of funding and service delivery for children with disabilities within Illinois and will require significant changes in each of the departments with responsibility for children with disabilities.

Several additional changes in the state funding system are necessary in order to support inclusion. First, the State Board of Education must make the funding system "placement

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[9]ISBE has developed a Financial Stakeholders' Task Force, which is expected to make recommendations for sweeping changes in the special education reimbursement system, including making funding more placement neutral. The Task Force's report is expected in the Spring of 1994.

neutral. A number of different funding methods have been developed by other states which are intended to minimize the impact of state funding on the school district placement decision. By contrast, in Illinois, a number of elements create incentives for school districts to place children out of district and create virtually no incentive for school districts to place children with special needs within the school district. The specific advantages and disadvantages of different neutral funding systems have been studied in another project funded by the Illinois Planning Council on Developmental Disabilities.[*] Further study may be needed with respect to the relative advantages of different neutral funding systems. In any event, such a system should be adopted for Illinois with respect to the remaining funding streams currently provided for special education.

Second, state funds must be specifically allocated for key expenditures that provide support for inclusion. In particular, ISBE must increase its current expenditures for support of staff development by local school districts. These staff development funds should be utilized to develop training protocols for use by local school districts, to provide direct funding to local school districts to support in-service training and to support the ability of school districts to provide out of district training for staff members.

ISBE should also allocate funds for further development and implementation of wraparound programs to address the needs of children with psychiatric and behavioral disorders and to provide improved technology and greater access to existing technologies to meet the needs of the several different groups of children who present especially challenging behaviors for public schools. Such funds should be available on an ongoing basis to sustain services. One of the concerns raised by participants in the research who had prior experience with inclusive practices was that some school districts went through a retrenchment process when initial support grants were reduced or eliminated. Inclusion cannot be implemented on an experimental basis only. Rather, it must be implemented with adequate funds to support its viability on an ongoing basis.

Funds should also be allocated for the development of training programs directed to administrators, as opposed to direct service personnel. These training programs should focus on the strategies for effective implementation of inclusion, with specific consideration given to cost effective utilization of existing resources.

The State Board of Education should also make available short term funding for school districts to supplement all other funding while going through the process of implementation of inclusion. These short term funds will be useful because many school districts perceive that

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[*]"The Identification of Financial Disincentives to Educating Children and Youth with Moderate to Severe and Multiple Developmental Disabilities in their Home Schools." Program Analysis, Inc., 1993.

during the process of implementing inclusive practices, they may be faced with some redundancy in service delivery systems as they continue to maintain substantial payments to special education cooperatives and to support segregated programming, while creating integrated programming within the neighborhood schools.

Many things can be done to implement inclusive practices which do not require substantial expenditures or regulatory or structural changes. Unquestionably, however, inclusion will be implemented more easily, widely, and quickly if significant funds are made available by the State Board of Education, other potential funding sources and local school districts. It should be noted, however, that while additional State Board of Education funds would be useful, it should not be seen as a predicate to implementation of inclusive practices on a local school level, particularly with regards to individual children. Much of what is needed can be done through creative utilization of existing resources and redeployment of existing staff.

H. ISBE Regulations and Regulatory Activities Must be Changed to Support Inclusion

1. Case study evaluations

ISBE and school districts should revise the standards for conducting case study evaluations. Through regulations and/or policy statements, ISBE should make clear that evaluations must assess functional skills and relate to what a child can actually do in relation to the age appropriate curriculum. Currently case study evaluations are often based on rigid application of deviation formulas based on standardized testing which has been developed by local districts. Although ISBE does not mandate these deviation formulas, it has issued recommendations which incorporate them. (See ISBE L.D. Manual). Eligibility for related services should be based on specific functional criteria, rather than on the relationship of need in that area to the overall function of the child.

2. The IEP process

Major changes need to be made with respect to the IEP process. State regulations should be amended to require participation of regular education teaching staff in all IEP meetings, particularly the regular education teacher who has primary responsibility for the child. It is predictable that if the regular education staff are not involved in the IEP process, they are not likely to be interested in the child's participation in their classroom or to be invested in the outcomes for that child.

IEP procedures should also be amended to require schools to identify and program around strengths, as well as deficits. Further, the State Board of Education should modify regulations and/or issue a policy statement making clear that the school district is obligated to serve all needs which relate to how the child functions in school, including academic, emotional, social, communication, vocational, motor and self help skills. Such a statement is necessary in order to reinforce district responsibility for addressing the broad range of needs through the IEP

and the wide range of services which may be appropriate. The State Board of Education should also articulate a clear position indicating that the use of the IEP must be applicable to the child wherever appropriate, including in regular education settings.

3. Teacher certification and waiver requirements

Regulatory barriers to inclusion involve both existing state regulations and the ways that ISBE carries out or fails to carry out its obligations. One barrier repeatedly identified in the course of the study was the problem of teacher certification and the obligation to match the certification of the special educator with the identified primary disability of the child. Many suggested that the certification requirements be dropped altogether. Others suggested that certification requirements be maintained, but shifted to a focus on categories of educational need which were similar and/or types of intervention required. Under this model, teachers might be certified in targeted skill areas such as curricular adaptation, behavior management, social skills training, community-referenced and community-based instruction, self help skills and communication skills.

A shift from a certification procedure focused on disability label to a certification procedure based on areas of identified need or types of intervention may simply substitute one undesirable label and procedure for another. Therefore, the State Board of Education should commence a study of the strategies used in other states with respect to certification and develop a long-range plan for revising the certification procedure.

The current certification procedure does not assure that certified staff have skills which are relevant to implementing inclusive practices and serves as a significant limiting factor with respect to the implementation of inclusive practices. However, the findings of this study indicate that parents have a high level of distrust of school districts and are suspicious that elimination of certification requirements will lead to provision of services by people who do not have adequate or appropriate training. Given this controversy, deregulation per se is not a satisfactory response. Instead, we recommend that several steps should be undertaken by the State Board of Education and the State Teacher Certification Board. First, the existing certification requirement which permits waiver only on the basis of the inability to secure an appropriate teacher should be expanded to include circumstances where there is some appropriate educational rationale for matching a particular teacher with a child. Further, the expanded waiver procedure should be made more accessible, with the State Board of Education communicating to school districts the ways the procedure can be utilized for reasons relating to creative programming. As a safeguard wherever waivers are being utilized, the parents should be informed by the school district and have the opportunity to object, including through due process, if necessary.

4. Staff utilization requirements

The State Board of Education should adjust reimbursement requirements for special education personnel to support the involvement of special educators in regular education settings,

while assuring that special education funds and staff do not become absorbed in regular education without regard to the needs of individual students with disabilities. Because inclusion necessarily involves an increase in the amount of collaboration, team teaching and group teaching with children without disabilities, very restrictive policies with respect to allocation of services only to children with disabilities have the effect of inhibiting the implementation of inclusive practices. The federal government itself has already indicated some limited movement toward loosening restrictions on use of federally funded special education personnel to serve both students with and without disabilities. Relaxing these staff utilization requirements would also provide greater ability for schools to engage in pre-intervention activities geared to respond to the needs of children with disabilities, without having to label them and involve them fully in the special education system.

5. Monitoring and enforcement

ISBE must also substantially change its monitoring and enforcement procedures. As previously indicated, ISBE monitoring procedures should incorporate review of school district policies and practices with respect to inclusion, including structural accessibility issues. ISBE should also include parents on every agency monitoring team to ensure that a diverse cross section of views is received with respect to the performance of specific school districts. Further, ISBE monitoring teams should be required to conduct community hearings in each district being reviewed, with such hearings being actively publicized.

ISBE can also more efficiently and effectively utilize its monitoring activities by concentrating its efforts in those districts which are identified as having particular difficulties in serving the needs of children with disabilities and in implementing inclusive practices. ISBE should monitor school district data to identify districts which have an over-representation of children with disabilities in restrictive settings. ISBE should also monitor districts that have a high rate of due process hearings, requests for State Board of Education enforcement action or complaints with the U.S. Department of Education Office for Civil Rights. Districts which are identified through either of these steps should be subject to more frequent monitoring by the State Board of Education. Once monitoring occurs, the State Board of Education should also more aggressively seek to distribute its findings throughout the community, including making known that the reports are available to all who request them and publicizing the reports to the local media.

Enhancing ISBE's monitoring efforts would itself be helpful in promoting implementation of inclusive practices. Where deficiencies are identified by the State Board of Education monitoring, the Board provides technical assistance. ISBE is loathe to cut off funds to school districts and apparently has no other enforcement mechanism available to it. State law and the Board regulations should be amended to give ISBE a meaningful range of enforcement options. These should include suspension of some or all State Board of Education funding, putting the school district on probation or assuming control of the school district if it is consistently and flagrantly in violation of federal law. The State Board of Education should provide direct services to children where a district inappropriately refuses to do so. ISBE should then recoup

funding for such services from the school district (this option is arguably already available, but not being utilized). The State Board of Education should also suspend or withdraw the certification of school staff for violations of children's rights and should impose fines against schools and school staff for such violations.[37]

It should be noted that data from a wide variety of sources indicate significant problems of procedural compliance or violations of students' rights by many school districts and by particular school district staff. Informants perceive that there is no credible enforcement mechanism with respect to such violations. The absence of meaningful consequences for violation of children's rights cannot be countenanced, as it leads to a climate in which school district staff feel they do not have to take such procedures seriously. Incorporation of the above enforcement procedures would provide a meaningful deterrent to procedural transgressions and should be adopted.

In addition to revising its own monitoring and enforcement efforts, the State Board of Education should require local school districts to develop district based quality assurance procedures which are designed to make certain that children with disabilities are being appropriately served in the least restrictive environment, as well as to assess all other aspects of service delivery for all children, including both children with and without disabilities. These procedures should incorporate the use of quality assurance teams independent of the multi-disciplinary teams making placement decisions concerning the individual child. These quality assurance teams should review district and school practices to ensure that these practices are geared to promote inclusion, with the provision of necessary aids, supports and services. These quality assurance teams could also review specific decisions recommending that a child be referred to a self-contained classroom or more restrictive environment to ensure that the decision was necessary and that appropriate mainstreaming and reintegration plans had been incorporated, either across the board or on a random basis. These teams would also annually review data and records for some or all students who remained in a self-contained or more restrictive setting for more than two semesters in order to assure that adequate efforts were being made to promote the ongoing participation of those students in regular education and to ensure their return to regular education as soon as possible, with appropriate transitional services to facilitate the child's successful return.

These quality assurance teams would be composed of school staff with training in inclusive education but would typically not be members of the staffing team for the particular child. These quality assurance teams would need to be drawn from general education and special education trained staff and could include reciprocal arrangements between school districts to assure that staff were available who had not participated in specific placement decisions. At the same time, the quality assurance process would have to be set up to assure that it did not

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[37]ISBE already has authority to suspend or revoke teacher certification (105 ILCS 5/21-23), but is not known to have used it in the context of violation of special education procedures or safeguards.

supersede or delay the evaluation or planning process already provided for by state and federal law. The quality assurance team would be advisory in nature and would have no ability to override the decision of the multi-disciplinary staff conference and IEP conference. However, the results of the quality assurance process would be shared with both school staff and parents and would be a basis for parents or school staff to reconvene a staff conference to further explore decisions already made, where indicated.

Finally, ISBE should explore the development of a general education planning system which parallels the planning system used for children with disabilities. Inclusion stresses the importance of recognizing and meeting the diverse needs of all students within the regular education environment. The IDEA is premised on the notion that children with disabilities have unique needs which must be served through the provision of individualized education services. This premise is equally applicable to general education students. The existence of a separate planning process for children with disabilities serves to reinforce their separateness, at the same time that the notion of individualized planning is equally valid for all students. Thus, the State Board of Education should undertake further studies to incorporate the positive elements of individualized planning for children with disabilities into the planning procedures used for all students. Ultimately, if all students are receiving truly individualized planning based on their unique needs, it may be less necessary to have procedures which are specific to children with disabilities. In the end, teachers will recognize the wide range of diverse skills, needs and interests of their students and the curriculum will be designed to serve adequately the wide range of needs of the children present. Whether or not this requires that every student have an IEP or only that every student have an individualized education remains to be determined. Whatever the procedural paperwork requirements might be, every student can benefit from assessment of their individual learning styles and the development of educational plans which are responsive to their particular skills and abilities.

I. Legal and Due Process Barriers to Inclusion Must be Eliminated

Major changes to the Illinois special education due process system are needed in order to give parents a meaningful opportunity to challenge school district decisions with respect to their child. At the same time, ISBE must take other action to address legal barriers to inclusion which are present or are perceived to be present by school administrators.

1. Reform the due process system by eliminating Level II and creating a new Level I process

The first step to overcoming legal and due process barriers to inclusion is the complete restructuring of the special education due process system within Illinois. This restructuring must include several components. First, the Level II special education administrative appeal should be eliminated. The Level II system takes a significant amount of time in a process which is already quite lengthy, without adding any significant opportunity for parents to achieve the services they desire for their child. Further, the Level II system currently utilizes a panel of arbitrators who are uniformly regarded as being uninformed, biased and inadequate to the task

of resolving special education disputes. Eliminating the Level II appeal would also save both the parents and the school districts considerable time and money in those situations where it was likely that the dispute would end up in court anyway.

In addition to eliminating the Level II appeal procedure, the School Code should be amended to create a different Level I hearing process. Currently, hearing officers are selected through a mutual elimination process used by the parents and the schools in which one name is selected from a group of five names. These five potential hearing officers are drawn from a panel of approximately 150 hearing officers who have received some level of training from the State Board of Education. The current hearing officer panel is perceived to be of highly varying quality and objectivity, within many hearing officers felt to be biased or incompetent. Much concern was also expressed about the quality of training the hearing officers received from the State Board of Education. Further, considerable problems were identified with delays in convening special education due process hearings, by virtue of the unavailability of hearing officers and/or their inability to comply with procedural timelines.

In order to remedy these difficulties, it is recommended that the State Board of Education eliminate the current panel process and replace the existing panel with selection from a panel of full-time special education hearing officers whose funding and status is maintained independent of the State Board of Education in order to assure that the State Board cannot exert control over the hearing panel. These hearing officers should either be lawyers who receive intensive training in special education and/or professionals with training or experience in education who receive intensive training in legal procedure and case law. It is recommended that these hearing officers be supervised and trained through a law school or school of education and contractually supported by the State Board of Education.

This procedure would improve the professionalism of the hearing officers, allow them to develop expertise in hearings more rapidly, give litigants a better ability to develop some sense of what to expect from the hearing officers, and create more credibility and consistency within the process. By creating a full-time panel, current delays due to conflicts of interest or hearing officer decisions to excuse themselves would be minimized or eliminated.

2. **Revise and improve due process hearing procedures and hearing officer training**

State law and regulations should also be amended to allow hearing officers to retain jurisdiction after issuing their findings and orders ostensibly disposing of the case. A number of informants complained that hearing officers did not resolve the disputes in a way that was clear and comprehensible to the parties. In fact, in approximately 50 of the cases we reviewed, the hearing officer ordered that the school district convene a new staffing, in many instances without clear direction as to what the staffing should address or what the outcome should be. In order to facilitate outcomes which are clear and usable for the parties, hearing officers should be available to interpret their decisions, arbitrate disputes which result from their decisions and enforce their decisions when needed.

The hearing procedure should also be clarified to require that hearings be held over the summer, when the request is made in the spring, rather than allowing school districts to delay hearings until the start of school on the grounds of unavailability of the school staff. A condition of employment by school districts should be that school staff will participate in due process hearings over the summer where necessary.

Without regard for whether the hearing officers are full-time hearing officers in a special panel or hearing officers appointed through the current system, the School Code and state regulations should also be amended to require that hearing officers provide extensive disclosure of their personal background and work experience in order to ensure that conflicts of interest are avoided. This information should be disclosed prior to selection of the hearing officers. Further, where conflicts of interest are identified, hearing officers should be required to recuse themselves, rather than forcing either party to use their striking selection to avoid the conflict. Hearing officers should be excluded or recused in any situation where they have an attorney-client relationship with counsel for either party or have been witnesses or defendants in prior proceedings being litigated by counsel for either party. Further, if the current system is maintained, state law should be amended to ensure that within the list of names provided for the purpose of hearing officer selection, at least three of the names offered will be individuals who are not currently nor have previously served as employees of any school district. Currently state law provides that no more than two of the five potential hearing officers may be individuals who are currently employed by school districts. 105 ILCS 5/14-8.02(g).

The hearing officer training should also be revised to ensure that it is conducted independent of the State Board of Education by a combination of legal and education professionals presenting information neutrally or in a balanced fashion. Training should include an overview of special education methods, diagnostic techniques, information about disabilities, information about federal and state law and case law, and techniques for conducting effective hearings.

Finally, the State Board of Education should develop and distribute to school districts, interested parents, hearing officers and other parties, a report on changes in special education laws and regulations and on recent judicial developments in special education. This report should be updated on a scheduled basis and should also incorporate changes in State Board policy with respect to children with disabilities.

3. ISBE should provide training to school administrators on legal issues

The State Board of Education should develop statewide training for school administrators to address inclusive educational practices and the ways that these practices can be incorporated to expand and improve the overall strength of educational delivery within the school district. These statewide trainings should also address liability concerns held by school administrators in order to dispel myths about different or higher levels of liability relating to

inclusive practices. Further, this training should convey to school administrators the potential liability which they may face for failing to implement inclusive practices.

The State Board of Education should be required to develop, disseminate and periodically update policy and implementation guides with respect to all significant areas of inclusive education. This would include pre-intervention services, assessment and eligibility procedures, IEP development techniques, transitional and vocational service strategies, methods for curricular adaptation to support inclusive practices, techniques for addressing challenging behavior and disciplinary practices appropriate to inclusive educational programs, information on community based instruction, techniques for providing support to regular educators, methods for implementing inclusive education throughout a school or school district and techniques for promoting meaningful parent participation and parent-school team building. These training efforts would all help to overcome administrator resistance with respect to liability considerations and administration concerns with respect to teacher union resistance.

It is hoped that the many changes recommended in this report will, in the future, substantially reduce the circumstances in which parents and schools reach a point of unresolvable conflict. In the interim, unfortunately, there will still be many circumstances where disputes between parents and schools arise. When these circumstances occur, an efficient and credible due process system is necessary. At the same time, it is important that other legal barriers to inclusion be identified and eliminated in order to facilitate the participation of children with disabilities in regular education.

J. A Participatory, "Parent Friendly" Planning and Program Implementation Process Must Be Developed Which Promotes Team Work and Collaboration Involving All Interested Parties

In the face of overwhelming dissatisfaction and distrust with the IEP process, major changes need to be made to give this process credibility and meaning. A first step would be to allow parents to "vote" with respect to the final placement decision. Currently, parents are allowed to participate in the process up to but not including the actual decision itself. This limitation is illogical and serves to cause parents to feel disenfranchised with respect to the ultimate decision. There are very few circumstances where a parent's vote, by itself, would alter the school district's ultimate placement decision. It would, however, cause parents to feel that they were truly participating in the process, rather than sitting on the side lines. If the school district staff are split as to the appropriate course to take with respect to a particular child it makes sense to give the parents a greater degree of say in the outcome. This circumstance would only arise in a very small percentage of the decisions made, where in most circumstances the school district would still make the decision by majority vote.

A second change recommended is that the IEP meeting should not be the primary, or even in some instances, the only contact between parents and school. The State Board of Education and local school districts should take steps to promote informal, regular and ongoing staff contact with parents to reduce or eliminate the element of surprise which is often present

in staffings and to ensure that all participants have had an adequate opportunity to explore the many issues which may come up at the staffing before it actually occurs. This will eliminate the sense that key decisions are being made without adequate time for discussion or explanation. Further, to promote the effective utilization of the IEP process, state law should be amended to require that all written reports to be presented at the staffing by the school district must be shared with the parents at least 48 hours in advance. This will allow the parents to have an opportunity to assimilate the data and be prepared to ask questions about the data prior to the meeting. In addition, current staffing procedures frequently focus much of the time on the presentation of data, rather than discussion or review of strategies to respond to identified needs. Thus, the need to cover all bases with respect to the evaluations effectively interferes with the ability to focus attention on the development of appropriate plans. This is a ineffective use of staff and parent time and ultimately does a disservice to the child. In those circumstances where a child has multiple and/or complex needs, IEP meetings should be convened more than once per year in order to monitor and update the child's progress and to reduce the time pressure to do all the planning for the child in one short meeting.

The State Board of Education should also revise IEP forms to promote a greater emphasis on identifying, maintaining and building a child's strengths and a more clear cut method for documenting modifications, adaptations, supports and other staff supports and contingencies which are necessary in order for the child's inclusive program to be effectively implemented. The State Board of Education and school districts should provide greater training to staff and parents on the IEP process and the development of functional IEPs. Along with these changes, the steps recommended in Section VI(A)(4) should be undertaken to promote improved relationships between parents and schools.

Modification of the IEP process will itself go a long way to promote more positive interaction between parents and schools and more positive outcomes with respect to inclusive practices. However, it is also essential that school districts increase the commitment of staff support to promote inclusive education. This has already been discussed in recommendations in sections F, G and H with respect to structural, financial, and regulation systems. Further, school districts and individual must make a commitment to release time for teachers to participate in in-service training activities and team planning and collaboration activities. Further, school districts must identify and provide support to direct service providers through the development of intervention and support teams, previously references, who would be available when children are having difficulties which are especially challenging for school staff.

In addition to providing training and support to the staff, it is essential that the State Board of Education take the steps necessary to redirect the efforts of current higher education teacher training programs. This should include revision of certification requirements for new administrators, teachers and related service providers to ensure that teacher preparation programs place significant emphasis on inclusive practices and services to children with disabilities. As well, student teaching requirements should be revised to include the requirement that student teachers have as part of their student teaching experience exposure to inclusive educational opportunities for children with disabilities and have direct student teaching experience in working

with children with disabilities in inclusive settings. In addition, in order to address existing shortages in personnel identified through the study, the State Board of Education must provide incentives in the form of loan forgiveness, bonuses or salary supplements. In particular, students who are members of linguistic and cultural minorities who also have special education needs were identified as being particularly under served, as well as students with hearing impairments who require services from people fluent in sign language. The State Board of Education should develop a system to provide either financial incentives or loan write offs from individuals coming out of educational preparation programs who agree to provide services in under served areas for a prescribed period of time, including both geographically underserved areas, and with respect to underserved populations, such as language minority groups. This would serve to reduce existing shortage in these areas and ensure that the barriers which are unique to these groups could be overcome.

VII. CONCLUSION

To separate [children] from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone. The effect of this separation on their educational opportunities was well stated by a finding in the Kansas case by a court which nevertheless felt compelled to rule against the Negro plaintiffs:

> "Segregation of white and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of the law; for the policy of separating the races is usually interpreted as denoting the inferiority of the negro group. A sense of inferiority affects the motivation of a child to learn. Segregation with the sanction of law, therefore, has a tendency to [retard] the educational and mental development of negro children and to deprive them of some of the benefits they would receive in a racial[ly] integrated school system."
>
> Whatever may have been the extent of psychological knowledge at the time of Plessy v. Ferguson, this finding is amply supported by modern authority....We conclude that in the field of public education the doctrine of "separate but equal" has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs and others similarly situated for whom the actions have been brought are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment.

Id., at 494-95.

These powerful words, not the prognostications of inclusion philosophers of the 90's, but rather the concerns of the United States Supreme Court in Brown v. Board of Education in 1954, are equally applicable with respect to the rights of children with disabilities today. The effects of the separate but equal doctrine are as real today for children with disabilities as they were 40 years ago for African-American children. We now know, however, that the Supreme Court's command in 1954 for school districts to implement integration with "all deliberate speed" served

as a mandate for inaction, rather than as a call for change. In order for public schools to implement inclusive practices successfully throughout Illinois, we must expect more than compliance with their legal, educational and ethical obligations "with all deliberate speed". Rather, we must expect a concerted, broad based, systematic effort that incorporates a wide range of structural and operational changes. These changes must occur at every level, from the State Board of Education to the individual classroom. Change is required not only in the way that we operate the schools, but also in the way that we view the schools and the children that are served.

Clearly, even if all of the changes suggested in this report were fully implemented, inclusive education would be an evolving reality rather than something that happens overnight. At the same time, our failure to implement any of these changes will ensure that inclusive education is not an available option for many children with disabilities. Our failure to make inclusive education available as a viable option for these children will likely consign them to an experience of separateness that will deprive them and those in the community in which they live of meaningful opportunities for involvement and participation both during school, after school, and on to adulthood. This report has set out a blueprint for changes in the educational delivery service system. Every actor in the educational delivery service system is effected by these recommendations. More importantly, every actor in the educational process has a role to play in making changes which will impact upon whether our schools incorporate inclusive practices and do so in a way which will assure a free appropriate public education in the least restrictive environment for all students with disabilities. Ultimately, if this is realized, the education for all children, including those with disabilities, should be enhanced.

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ABOUT THE STAFF

The author and project director is Matthew Cohen, a partner in the law firm of Monahan and Cohen of Chicago, Illinois. Mr. Cohen has had approximately fifteen years of experience working with families of children with disabilities to assist them in securing a free appropriate public education in the least restrictive environment. Over the course of his legal career, Mr. Cohen has represented many families who were seeking less restrictive settings for their children, seeking increased opportunity for instruction in their children's natural environments, and, particularly, in their home schools.

As a result of his experience in representing families in disputes with schools surrounding special education issues, and especially LRE and inclusion disputes, he is intimately acquainted with the laws, policies, procedures and practices which create state and local barriers to inclusion. Through his work on these issues, Mr. Cohen has also become very familiar with the academic research on inclusion and the school implementing it (and opposing it) in Illinois. He has also established professional relationships with many educators locally and nationally who are regarded as being leaders in developing and researching inclusive schools.

In addition to his work as an advocate, Mr. Cohen lectures both locally and nationally on special education and disability rights law. He has conducted extensive research on special education and disability law issues and has published articles on these and other subjects. He has been involved in a variety of legislative initiatives on special education issues in Illinois. Beyond this, Mr. Cohen has had five years experience managing a multi-million dollar professional services corporation.

Mr. Cohen was joined by JoAnn Herzberger, who served as project coordinator. Mrs. Herzberger's involvement in special education began when her son, Tim, was born with Downs Syndrome. In Pennsylvania, Joann served as chairperson of the State ARC Education Committee and the ARC consumer representative for the State Task Force. She was also a founding member of Northern Advocates and Parents for Options in Education in Pittsburgh. In 1991, she was awarded the Advocacy Award by ARC Allegheny County. Mrs. Herzberger and her family moved to Winfield three years ago where she is currently a member of the Winfield School Board.

Mrs. Herzberger coordinated data gathering, conducted some of the parent and staff interviews, arranged the focus groups, collated much of the data, and assisted in writing and editing the report.

Dr. Carol Melnick, Chair of the Department of Special Education at National-Lewis University in Evanston, served as educational and research consultant for the project. Dr. Melnick also has professional training as a speech and language clinician and has often served as a consultant and expert witness in special education disputes.

Dr. Melnick designed several of the research instruments and supervised the onsite research at the six target schools, which was conducted by four of her graduate students, Carol Brusslin, Elizabeth Dugan, Curtis Rempson and Jerome White. She also collated much of the data from interviews with staff at the six target schools.

Howard Rosenblum, associate with Monahan and Cohen and graduate of IIT-Kent Law School, served as legal researcher for the project. Mr. Rosenblum has extensive experience in researching disability law issues, including a 50-state study of mental health laws conducted for Monahan and Cohen. Mr. Rosenblum also has a Bachelor's Degree from the University of Arizona in Computer Engineering. Mr. Rosenblum's accomplishments are especially relevant to this project as he is profoundly deaf and was mainstreamed from fifth grade on.

EXECUTIVE SUMMARY

Individual and policy disputes over inclusion, defined as the right of children with disabilities, particularly those with moderate to severe disabilities, to be based in regular education in the school they would attend if they did not have a disability, are currently a major focus of our educational systems. These disputes center around issues of when, where, how and for whom inclusion should be implemented.

In 1992, the Illinois Planning Council on Developmental Disabilities (IPCDD) issued a request for proposal to study the barriers to inclusion at the local school level for students with disabilities and to make recommendations for changes in state and local practices which would assist in overcoming these barriers.

The full report presents a brief review of the moral, educational and legal bases for inclusion. It then outlines the extensive research which formed the basis for the report's findings and recommendations. Specific conclusions derived from the study of two other states, Vermont and Colorado, are delineated, as well as findings from three "inclusive" and three "non-inclusive" Illinois schools. In addition, focus group interviews were conducted with approximately 80 parents and educators throughout the state, and various state policies and procedures were studied. Process barriers to inclusion, along with findings from the review of due process decisions in Illinois over the last four years, are presented.

The research indicated ten broad categories of barriers to inclusion: informational, attitudinal, instructional/technological, leadership, accessibility, structural/organizational, financial, regulatory, legal, and operational/implementation. Finally, recommendations to eliminate or reduce barriers in each category are presented.

For the purpose of this report, inclusion is defined as the commitment that children with disabilities will be educated in the schools that they would attend if they did not have disabilities, based in and with full membership in the life of the regular education environment, with such adaptations, supports, and services as are necessary to allow students to benefit from the regular education experience and to address the unique needs which arise as a result of students' disabilities.

This executive summary will provide a synopsis of the findings and recommendations of the report with emphasis on high priority actions which can be taken by each of the key groups involved with inclusion.

I. SELECTED FINDINGS FROM SPECIFIC DATA SOURCES

A. Key Variables Supporting Inclusion in Model States which are not Present in Illinois

Vermont and Colorado were identified for study as they utilize more inclusive practices than Illinois as reflected by statistical indicators and based on reports by a variety of professionals knowledgeable about inclusion.

Two key variables stand out in Vermont and Colorado as contributors towards inclusive educational practices. First, each state has a funding formula which is essentially neutral as it relates to the way children with disabilities are educated. This means school districts do not receive any financial reward or incentive for serving children in more restrictive environments. Second, these states emphasize staff training. In Vermont, a specific percentage of the state's special education budget is committed to inservice training to support inclusion of children with disabilities in regular education. In Colorado, there is a significant commitment at the state level to staff training to support regular and special educators in provision of appropriate services and adaptations to children with disabilities within regular education.

Several other features of Vermont's educational delivery system provide significant support for inclusive practices. These include the presence of a fairly clear definition of inclusion at the state level and the enactment of a state law, Act 230, which provides direct support for the development of inclusive practices. Another factor in Vermont is the relative absence of segregated schools. A final factor is that the state education agency made an explicit and concerted effort to build consensus with the teacher's union while plans to promote inclusion were being developed.

Colorado also had several features which served to promote inclusive practices which are not present in Illinois. The most notable difference was the considerable emphasis placed by the state education agency on participation of parents at every level, including state education monitoring teams used to review local school districts. A second feature unique to Colorado is that the state's school code specifically provides for a greater degree of parent choice with respect to educational decision-making.

Both states continue to face barriers. One problem that is common to both states is the difficulty in providing effective services to promote the inclusion of children identified as having emotional or behavioral disorders. Vermont continues to find resistance to inclusion from parents who have children identified as learning disabled, attention deficit with hyperactivity disorder, and emotional or behavioral disorder. Colorado felt there was confusion at both the state and local levels over the definition of inclusion and its implementation. There was also significant resistance to inclusion at the local school district level in both the regular and special education communities, a perception of insufficient ongoing training, and a concern that insufficient attention was being given to time management issues.

B. Key Differences Surrounding Planning and Decision-Making for Children with Disabilities in Three Inclusive and Three Non-Inclusive Illinois Schools

In the course of the study of these six schools, it became apparent that there was a tremendous degree of variability among both the identified "inclusive" and "non-inclusive" schools. Six characteristics were determined from the research to most affect inclusive practices. Each school was rated according to a low, low-moderate, moderate, moderate high, and high scale according to the following six variables:

- Overall level of inclusion
- Building leadership

- Adequate supports (staff, etc.)
- Adequate training on inclusive practices
- Support for collaboration and team process
- Staff and community support

The characteristics present in each of the six schools studied as they relate to inclusive practices can be seen on a continuum. This continuum reflects the evolving nature of implementation of inclusion, including the range of children with disabilities participating in inclusive practices, the age of these children, the location of these services and the amount of time the school district has been involved in implementing inclusive practices. There also appears to be considerable variability based on different perceptions of what inclusion means, as well as differences based on commitment to inclusion and availability of resources to support it. There appears to be a different correlation between the presence of identified factors which contribute to successful implementation and the degree to which implementation has been consistently put into place by particular schools.

C. "Due Process": Justice Delayed/Justice Denied

Illinois has an elaborate special education due process system involving two levels of administrative review. This system utilizes a panel of hearing officers trained by the State Board of Education and drawn from a wide variety of disciplines to serve as Level I hearing officers. Either party dissatisfied with the results of the Level I due process hearing may then appeal to a Level II hearing officer who is drawn from a panel of individuals who are members of the American Arbitration Association. Again, if either party is dissatisfied with the decision at Level II, they have the right to appeal into court. Under federal law, the entire Level I decision-making process is supposed to be resolved within 45 days. In Illinois, Level I due process hearings typically take at least 80-90 days.

Our review of over 400 due process decisions in the last four years revealed that:

- School districts prevail against parents in a significant majority of all due process cases.
- School districts prevail against parents in a significant majority of disputes involving the parents' desire for their child to be served in a less restrictive setting.

Another study, recently concluded, found a similar pattern of disproportionate school district success in Level II review hearings. The Office for Civil Rights for the U.S. Department of Education has also cited the Illinois State Board of Education on several occasions because of the degree to which typical hearings in Illinois violate federal requirements with respect to how quickly hearings are conducted. Further, our findings revealed a perception among both parents and educators that the due process system was biased against parents and took an excessive amount of time.

Finally, a review of the employment experience of the pool of Level I hearing officers demonstrated that more than sixty percent were current or former public school employees. While this does not itself support a causal connection to the high success rate of schools in the hearings, it does raise a concern about the credibility and appearance of bias of the system.

II. OVERALL BARRIERS TO INCLUSION

A. Information Barriers

The predicate to all other barriers to inclusion is the barrier of a lack of information concerning what inclusion is all about. Significant elements of all constituencies who participate in the educational decision-making and implementation process have little or no information, or inaccurate information concerning inclusion.

A second informational barrier concerns strategies to implement inclusive programming successfully. Many informants articulated support conceptually for inclusion, but confessed a lack of understanding as to how inclusion would actually work for children with disabilities with whom the informants were familiar. Many informants were unaware of how existing resources could be utilized to support inclusion and assumed that there would need to be massive new and different resources provided in order to make inclusion viable.

Another barrier related to a lack of understanding of the differing teaching techniques which are believed to be necessary for inclusion to be successful. Many reporters either displayed or acknowledged a lack of information with respect to how to implement collaborative, team, and problem-solving techniques necessary for success in inclusive education.

Informants also cited a lack of understanding of the decision-making process called for by the current regulations, particularly the requirement that the school thoroughly explore the provision of services based in regular education, with supports and aids where needed, as the starting point in the placement process.

Finally, a number of informants identified concerns with respect to the training that is provided through higher education to new teachers as lacking any meaningful experience with inclusion for both regular and special educators. Similarly, a relative absence of inservice training, particularly consistent, in-depth training for those who are already in the field, was also identified.

B. Attitudinal Barriers

Attitudinal barriers are, at least to some degree, directly tied to the informational barriers described. However, attitudinal barriers also bring into play a wide variety of fears, suspicions, political considerations, and other issues which affect the perception and orientation of special educators, regular educators, administrators, parent of children with disabilities, and parents of children without disabilities.

Special educators articulated and were perceived to fear a loss of ownership and control over the educational process for children with disabilities. Many articulated fears which, at an objective level, were clearly based on an absence of

information. Further concerns revolve around the perceived threat to job security and to their traditional role.

Regular educators identified or were perceived as having significant fears with respect to their own competency to provide adequate services to children with disabilities. They also articulated a genuine concern that the presence of children with disabilities in their classrooms would significantly interfere with their ability to serve the regular education students who were already present. There appears to be particular anxiety about two categories of disability: children with emotional or behavioral problems and children who are medically fragile.

The biggest concern identified by administrators was the perception that inclusion would inevitably lead to increased expenditures to support children with disabilities in regular education. Administrators were fearful about resistance from staff, particularly regular education staff and opposition from the regular education parent community.

Several problems relating to turf and cross-system interaction were identified by school staff. In particular, problems of special education/regular education and joint special education cooperative/local school district interactions were highlighted as problem areas.

Parents of children with disabilities articulated concerns that inclusion would result in a loss of services, procedural safeguards, and supports for children with disabilities. Some parents were quite concerned about the possibility that inclusion would result in a loss of individualized educational programming. Others expressed fears about the safety of their children and the risk of ostracism.

C. Instructional\Technological Barriers

Barriers arise from shortcomings in the ability to serve particular groups of children with disabilities in the preparation of teachers to serve all children with disabilities. A number of sources identified limitations in current higher education training for entry level teachers and related service providers. There is also a relative absence of meaningful and consistent inservice training at the school district level for general and special educators and related service personnel. Compounding this, many educators perceive that children with especially challenging disabilities, including children with severe emotional\behavior disorders, autism, severe and profound disabilities, multiple serious disabilities, and children who are medically fragile pose special problems for inclusion. Information about programs for these populations of children are not widely disseminated. Such programs also tend to be more resource intensive than other inclusive programming. Finally, the whole system of evaluating children with disabilities currently being utilized appears to operate as a barrier to inclusion.

There are also increasing technological innovations which assist children with disabilities in benefitting from their education, many of which are not yet widely utilized. Some school districts are not incorporating adaptive technologies either due to cost or because they do not fully understand how to use it.

D. Leadership Barriers

A wide variety of sources identified the need for greater leadership from the Illinois State Board of Education, at the school district level from administration and boards of education, and at the local school level from building principals as significant impediments to the implementation of inclusion in local schools.

Insufficient support for inclusion is evidenced by the failure of ISBE to adopt a position statement in support of inclusion. There continues to be insufficient financial support by ISBE for school districts attempting to develop and implement inclusive programs. ISBE continues to operate a financial structure which creates significant disincentives to serving children with severe disabilities in regular education settings. ISBE needs to clarify regulatory impediments to inclusion and to make existing resources more accessible. ISBE also needs to exercise greater leadership with the legislature and other state agencies to overcome barriers to inclusion.

Absence of district leadership is manifested in the lack of school district policies and practices which support the right of children with disabilities to be served in regular education at their neighborhood school. There is an unwillingness of district administration and boards of education to commit district resources to provide the supplementary aids and services necessary to enable successful delivery of services to children with disabilities in the regular education setting. Further, the ongoing willingness of administrators and boards of education to delegate responsibility for services to special education cooperatives reflects a lack of ownership of the children with disabilities within those districts.

The school principal is regarded as an essential actor who must take substantial, consistent public steps to support inclusive practices. Individual buildings need to have mission statements supporting inclusion. The principal must commit to adequate personnel, support staff, and space, and set the tone in the building with respect to the attitude of teachers toward their students. The principal must provide direction and encouragement to staff and, when necessary, persuade staff to educate themselves on this issue. A final and significant element of the building principal's role is his\her orientation to the participation of parents. A lack of active parent participation in the school and classroom works to the detriment of inclusive practices.

At this time, there is much fragmentation within the community of individuals and organizations working in support of children with disabilities. Many of these groups are working at cross purposes and are focusing on their own agendas, rather than upon areas of common interest and mutual support, with some groups actually working to slow down implementation of inclusion. Additional mechanisms must be created to provide support for parents in order that they may further develop their own leadership structures, particularly at the local school level. Further, pro-inclusion parent organizations must develop means to build on the base they have already established and "include" parents and consumer advocacy groups throughout the state who are currently uncertain about inclusion.

E. Accessibility Barriers

There are problems with physical access to some school facilities which operate as impediments to inclusion of children with physical disabilities in their neighborhood schools. Some school buildings were reported to be totally inaccessible for children with mobility impairments. Other school buildings were identified as being partially accessible, but still have significant barriers to access to some important parts of the building.

F. Organizational Barriers

Several distinct organizational features of the special education system in Illinois create major barriers to inclusion. The first of these organizational barriers is the high degree of departmentalization of special education separate from regular education within schools. The separation of special and regular educators reduces the experience of each with collaboration with the other and minimizes the motivation of either group to develop collaborative or team efforts. There are also issues of accountability and responsibility that are exacerbated by the separation of regular and special education staffs.

A second barrier is the over-dependence of the local schools on the special education cooperatives, particularly for children identified as having severe disabilities or especially challenging behaviors. By virtue of centralizing expertise, there is perceived to be reduced need for training, collaboration, and teamwork of special and regular educators at the local school level. The cooperative structure makes it easier for schools to pass responsibility elsewhere when problems arise. Staff from cooperatives based in regular education schools may have confused roles and conflicting loyalties. It also reduces the ease with which the local school district can either change policy or make child specific decisions that represent a deviation from prior policy or practice.

Finally, the relative absence of any meaningful interagency cooperation between the educational agencies and other agencies at the state and local level is a barrier to inclusion. Rather than reflecting meaningful coordination at either level, the current situation in Illinois reflects that the school districts tend to be in a competitive or adversarial posture with other local agencies and that the State Board of Education is in a competitive or adversarial posture with other state agencies.

G. Financial Barriers

The most obvious financial barrier to implementation of successful inclusive practices in local schools is the growing inadequacy of funding for education in general. The decreasing availability of adequate resources to support education in general creates both real and perceived barriers to implementation of inclusion at a systemic level and for individual children. A paradoxical situation is created in which the financial pressures on regular education dictate a need for additional supports to make inclusion workable, which create additional financial demands to implement inclusion in ways that have adverse political consequences.

Additionally, there are significant financial barriers to inclusion in the current state financial structure, such as the state's disproportionate funding of private residential placement, lack of coordination of services among the several

different state agencies, the state subsidy of transportation expenses, the restriction on use of special education funding, and little specific financial assistance to assist school districts to serve students in inclusive settings. Locally, the failure of districts to make inclusion (or even services to children with disabilities) a funding priority and not deploying staff in a way which makes them available to support inclusion are barriers.

H. Regulatory and Oversight Barriers

Regulatory and oversight barriers involve both problems with existing regulations and areas where additional regulation or state involvement would be desirable but is currently absent. Current regulations are adequate as they relate to the decision-making process intended by Congress that would provide services to most children with disabilities in regular education. However, local schools and the State Board of Education have chosen to ignore or implement selectively these regulations as they relate to programming in the least restrictive environment and the provision of supports and aids.

An important regulatory barrier is the requirement that children with disabilities who are based in special education programs must be served by a special education teacher who has certification in the category of disability identified as the child's primary disability. A second area of confusion arises from the uncertainty on the part of educators as to whether the IEP applies to the activities of the child when in the regular education classroom.

Several informants articulated a belief that ISBE monitoring and enforcement was inadequate with respect to the issue of inclusion and least restrictive environment. Another concern was that the very nature of the separate regulatory structure promoted separateness from the regular education system. At the same time, however, some parents said they wanted inclusion laws and wanted existing laws enforced.

I. Legal Barriers

The due process system was perceived as being inadequate, counterproductive, too time-consuming, and producing results which generally favored the school district. These opinions were borne out by our review of 421 due process decisions. The impartiality of the due process hearing procedure was regarded as suspect because hearing officers were often affiliated with some local schools and received training from ISBE predominantly by lawyers who represent school districts or are themselves ISBE staff. Of further concern was a perception that the Level II administrative review procedure lengthened the time in resolving disputes and did not offer meaningful opportunity for parents to resolve their disputes when compared with the opportunities available through Level I.

J. Operational/Implementation Barriers

Available data suggests that there are significant problems in the IEP process, with the adequacy of support to school staff and to children with disabilities within regular education and in availability of staff who are competent to provide appropriate services. There is concern about the absence of support for the regular education teacher in the form of consultation, additional staff support within the

classroom, availability of inservice training, and additional supports needed to make inclusion successful.

There was almost unanimous dissatisfaction with the multidisciplinary conference and the IEP conference as it relates to decision-making for children with disabilities and as it specifically affects the development of inclusive programs for children. Parents expressed feelings of being overwhelmed, intimidated, depreciated, and excluded by school staff during the staffing process. Parents also expressed the feeling that goals and objectives were often developed by school staff before the meeting. Some educators reported sharing these concerns and had a similar frustration with the way that the IEP process was conducted. However, these educators tended to feel that there was little alternative to the meetings being conducted in this matter, due to the press of time and the limitations on staff availability.

Finally, there is a paucity of instructional personnel who are equipped either to deliver appropriate services to children with disabilities in regular education as direct service providers or on a consultative or support basis.

K. Additional Barriers to Inclusion in Specific Communities

Several barriers were identified which were specific to the Chicago Public Schools. There was a pervasive and intense distrust by parents and teachers of the Chicago Public Schools' commitment and ability to provide the supports to teachers and to children which will be necessary for inclusion to be effective. There were significant differences perceived in the understanding of inclusion as has been articulated in this report and the view of inclusion described by Chicago Public School administrators. Another concern expressed was the fear on the part of parents of children with disabilities that their children could not be safely educated within the regular education environment.

A further concern which is especially prevalent in Chicago, but can also be presumed to be present in a number of other communities, is the unique circumstances of children from families in which English is not the primary language. These children were reported to experience a constellation of difficulties in functioning within the educational structure in which they were frequently denied access to services from bilingual special education and related services staff, while at the same time having similar difficulties as those present for other children with disabilities for whom English is the primary language.

Rural schools were perceived to have special problems in implementing inclusion by virtue of their limited access to staff expertise, reduced availability of curricular options, and less experience on the part of school staff in dealing with children with disabilities in general.

Finally, there was some indication that school districts are far more willing and more able to implement inclusion in the elementary schools as compared to the high schools.

III. RECOMMENDATIONS FOR BARRIER REMOVAL: A BLUEPRINT FOR CHANGE

Recommendations for barrier removal are thoroughly detailed in the full report. In the executive summary, we have chosen to highlight the priority barriers according to the following actors: Illinois State Board of Education, the Illinois Planning Council on Developmental Disabilities, higher education institutions, and statewide/local parent groups, local school districts, and local boards of education.

Illinois State Board of Education

•Develop, improve, and financially support inservice training with "how to" training resources using best practice information at the local school district level for teachers, related service professionals, administrators, and parents.

•Adopt a position statement with initiatives and expectations clearly delineated and policies which support the implementation of inclusive practices.

•Develop pilot programs to serve children with challenging disabilities and replicate successful strategies throughout the state, not only for children with behavioral challenges, but also for children with other disabilities received to be especially challenging by school staff.

•Aggressively pursue modifications in teacher training programs at higher education institutions.

•Create funds, grants, and/or low interest loans to support removal of architectural barriers for schools not undergoing renovation.

•Aggressively pursue with the state legislature a restructuring of education funding that includes a formula that is placement neutral, provides funding for practices supportive of inclusion, supports wraparound services, and provides seed money for implementation of inclusive practices.

•Commence a study of the strategies used in other states with respect to certification of teachers and develop a long range plan for revising the certification process.

•Reform the due process system by eliminating Level II and creating a new Level I panel of permanent, full-time trained hearing officers; revise and improve due process hearing procedures and hearing officer training.

•Revise evaluation and planning procedures and forms to promote greater emphasis on identifying, maintaining, and building a child's strengths and a more clear cut method for documenting modifications, adaptations, supports, and other staff supports and contingencies; provide training to educators and parents on the correct implementation of IEPs that will be functional in the regular education classroom.

Illinois Planning Council on Developmental Disabilities

•Develop and disseminate practical "how to" manuals addressing:

-system change at the district and building level
-strategies parents can use to promote inclusion for their children and in their communities
-teacher and building level strategies for including children with disabilities

•Identify successful inclusive practices from other states and school districts within Illinois.

•Develop and disseminate current best practice literature on inclusion to parents.

•Develop a manual of common and inexpensive modifications to promote accessibility of school buildings.

•Provide training to boards of education and regular education administrators on inclusive practices.

•Promote grass roots, local parent groups to provide support and advocacy at the local school and district level.

Higher Education Institutions

•Update and revise higher education training programs to prepare future educators to implement inclusive practices.

•Train evaluators to focus recommendations on student needs and type of interventions rather than type of disability.

•Eliminate the separation of general and special education departments.

Statewide/Local Parent Groups

•Provide training to parents on disability issues, special education, and advocacy.

•Develop <u>local</u> parent networks for the purpose of education and advocacy.

•Develop a speakers bureau to educate parents, community members, and professionals at the local, regional, and state level about inclusion.

•Assemble state and local school district mission statements and policies that support inclusive practices as a reference for parents and school districts.

•Identify common ground with disability groups currently neutral and/or raising concerns about inclusion and attempt to build relationships with these groups.

Local Boards of Education

•Commit to practices that consider the needs of students who require special education services as having at least equal priority as the regular education students

and to the staff needs in planning, policy making, and financial decisions. Incorporate support for inclusive practices in staff recruitment, training, staff deployment and space allocation.

•Adopt mission statements and policies which support the implementation of inclusive practices.

•Establish recruiting and evaluation procedures for senior administrators that include assessment of support for and success in implementing inclusive practices. Likewise, staff performance evaluation should include a component on effectiveness with inclusive practices.

•Develop policies that acknowledge the responsibility of the neighborhood school principal for each student's program regardless of placement site, with review procedures and transition plans to return the student(s) to the neighborhood school.

•Employ, possibly with other districts, ombudsmen to provide direct support and advocacy on behalf of parents who have children with special needs.

Local School Districts/Administrators

•Maintain and improve continuous inservice training in order to retrain and educate new staff members and parents about inclusive practices.

•Promote a spirit of inclusiveness and provide motivation to school staff to respond positively to the opportunity for involvement with inclusive practices.

•Reassert control over special education decisions currently exercised by cooperatives.

•Assess needs for team planning time, role definition, observations to other inclusive districts, teacher attendance at workshops and conferences, peer coaching, supports to staff and students, training in adaptive technology, monitoring individual student IEPs, and evaluating the program.

•Promote regular staff contact with parents in all aspects of the student's education.

Local School Principals

•Amend or adopt school mission statements which support inclusion and emphasize the value of diversity.

•Advocate with district administration and Board of Education for adequate staff, training, and resources to support inclusion and allocate resources within the building to support inclusion.

•Encourage staff teaming and collaboration and support schedule changes needed to create staff time for these activities.

•Assume responsibility for all students enrolled within the school's catchment area and for all staff, including special education staff, working within the building.

•Actively encourage parent involvement in all phases of school activity and frequent communication by staff to parents.